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No. 43]

NEW DELHI, SATURDAY, OCTOBER 26, 1985/KARTIKA 4, 1907

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)

PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सार्वजनिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the
Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 3 अक्टूबर, 1985

सूचना

MINISTRY OF LAW & JUSTICE

(Department of Legal Affairs)

New Delhi, the 3rd October, 1985

NOTICE

का. अ. 4921. नोटरीज नियम, 1956 के नियम 6 के अनु-
सरण में मक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मोहिंदर
पाल सिंह, एडवोकेट, जग्राउन जिला लुधियाना, पंजाब ने उक्त प्राधिकारी
का उक्त नियम के नियम 4 के अर्थात् एक आवेदन इस बातके लिए दिया
है कि उसे जग्राउन तहसील में व्यवसाय करने के लिए नोटरी के रूप में
नियुक्त किया जाए।

S.O. 4921.—Notice is hereby given by the Competent
Authority in pursuance of rule 6 of the Notaries Rules, 1956,
that application has been made to the said Authority, under
rule 4 of the said Rules, by Shri Mohinder Pal Singh, advocate,
Jagraon, Distt. Ludhiana, (Punjab) for appointment as a
Notary to practise in Jagraon Tahsil.

2. उक्त व्यक्ति को नोटरी के रूप में नियुक्ति पर किसी भी प्रकार
का अक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में
मैंरेपम भेजा जाए।

2. Any objection to the appointment of the said person
as a Notary may be submitted in writing to the undersigned
within fourteen days of the publication of this Notice.

[सं. 5(47)/85 न्या]

ग. गुप्टु, मक्षम प्राधिकारी

[No. F. 5(47)/85-Judl.]

S. GOOPTU, Competent Authority

गृह मंत्रालय

नई दिल्ली, 7 अक्टूबर, 1985

केंद्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 30 अगस्त, 1985

(आयकर)

क्रां.आं. 4922.—अधिश प्रवासों न्यायाधिकरणों द्वारा निर्धारण, अधिनियम 1983 (1983 का 39) की धारा 15 की उपधारा (2) और (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार एतद्-द्वारा बम्बई उच्च न्यायालय के सेवानिवृत्त मुख्य न्यायाधीश, श्री बी. एन. देशमुख की कार्यभार ग्रहण करने का निर्देश से एक वर्ष की अवधि के लिए अगकालिक आधार पर, अपालीय न्यायाधिकरण, असम के सदस्य के रूप में नियुक्त करता है और आगे उन्हें न्यायाधिकरण के अध्यक्ष के रूप में नियुक्त करता है।

[सं. 11012/92/85-एन. ई. IV]
एस. एस. शर्मा, विशेषकार्य अधिकारी (असम)

MINISTRY OF HOME AFFAIRS

New Delhi, the 7th October, 1985

S.O. 4922.—In exercise of the powers conferred by sub-sections (2) and (4) of Section 15 of the Illegal Migrants (Determination by Tribunals) Act, 1983 (39 of 1983), the Central Government hereby appoints, on part-time basis, Shri B. N. Deshmukh, retired Chief Justice of the Bombay High Court, as Member of the Appellate Tribunal, Assam for a period of one year, with effect from the date he assumes charge and further appoints him as president of the Appellate Tribunal.

[No. 11012/92/85-NE-IV]

S. S. SHARMA, Officer on Special Duty

कामिका और प्रशिक्षण प्रशस्तिक सुधार और लोक शिकायत तथा पेशान मंत्रालय

(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 9 अक्टूबर, 1985

क्रां. आ. 4923.—केंद्रीय सरकार दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री सन्तोष पाल त्यागी, अधिवक्ता की दिल्ली विशेष पुलिस स्थापन नियमित सभा में 1/85-में आई. ए. (पा.), राज्य बर्तमान मित्र भाटा तथा अन्य के, जो राजा मान सिंह और दो अन्य व्यक्तियों की हत्या में 21 फरवरी, 1985 की हत्या से सम्बंधित है, केंद्रीय अन्वेषण ब्यूरो के सदस्यों के लिए जयपुर स्थित विशेष न्यायिक मजिस्ट्रेट (ए. सी. जे. एस.), सेशन न्यायालय, जयपुर और अर्जुन न्यायालयों, जयपुर में अभियोजन के संचालन के लिए विशेष लोक अभियोजक नियुक्त करता है।

[संख्या 225/17/85-ए. सी. जे. (II)]

एस. एस. प्रसाद, अवर सचिव

MINISTRY OF PERSONNEL AND TRAINING, ADMN.
REFORMS AND PUBLIC GRIEVANCES AND PENSION

(Department of Personnel and Training)

New Delhi, the 9th October, 1985

S.O. 4923.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Santosh Pal Tyagi, Advocate as Special Public Prosecutor for conducting prosecution of the Delhi Special Police Establishment Regular Case No. 1/85-CIU (P), State Versus Kan Singh Bhati and others relating to the murder of Raja Man Singh and two others in Deeg on the 21st day of February, 1985, in the Court of Special Judicial Magistrate for Central Bureau of Investigation cases at Jaipur (A.C.J.M.), Court of Sessions Jaipur and the appellate Courts, Jaipur.

[No. 225/17/85-AVD. II]

M. S. PRASAD, Under Secy.

क्रां. आ. 4924.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और तत्समय पर यथा संशोधित दिनांक 3/11/83 की अधिसूचना सं. 5446 (क्रां. सं. 261/22/83-आ. क. न्या.) में संशोधित करने हुए, केंद्रीय प्रत्यक्ष कर बोर्ड एतद्द्वारा निदेश देता है कि आयकर आयुक्त (अपील) II, III, IV, VII, VIII, कलकत्ता, स्तंभ 2 और 3 की तत्संबंधी प्रविष्टियों में विनिर्दिष्ट आयकर क. डों, परिमंडलों, जिलों और रेंजों में आयकर अथवा अतिकर या ब्याज कर से निर्धारित ऐसे व्यक्तियों के बारे में, जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (क) में (ज), कर्पण (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) तथा ब्याज कर अधिनियम 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी भी आदेश से व्यथित हुए हैं, और ऐसे व्यक्तियों या व्यक्तियों की श्रेणी का बख्त में, जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के उपबंधों के अनुसार निदेश दिया है अथवा भविष्य में निदेश दें, कार्य करेंगे।

अधिक-रक्षित तथा प्रधान कार्यालय	आयकर ब. ड. और परि-मंडल	निर्देशों के रेंज	सहायक आयुक्त
1	2	3	4
1 आयकर आयुक्त (अपील) — II, कलकत्ता।	1. कम्पना जिला III (बी, डी, ई, एफ एवं जी वाई)	1. नि. स. आयुक्त, रेंज II	
	2. कम्पना जिला II (ए से जी वाई)	2. विशेष कर-निर्धारण, रेंज I	
		3. नि. स. आ., कर-निर्धारण, रेंज-II	
		4. नि. स. आ., कर-निर्धारण, रेंज-XII	
		5. नि. स. आ., रेंज VII	
2 आयकर आयुक्त (अपील) — III, कलकत्ता।	1. कम्पना जिला-IV (ए से जी वाई से सिंध)	1. नि. स. आयुक्त, रेंज XII	
	2. विशेष परिमंडल-I	2. नि. स. आ., रेंज XII ए	
	3. विशेष परिमंडल IV	3. नि. स. आ., निर्धारण, रेंज III	
	4. विदेश अनुभाग	4. नि. स. आ., कर-निर्धारण, रेंज XIII	
	5. कम्पना जिला-V (जी और एन डी)	5. नि. स. आ., रेंज-I	
		6. नि. स. आ., रेंज XXIV	
3 आयकर आयुक्त (अपील) IV, कलकत्ता।	1. कर्पण जिला IV (ए से जी वाई)	1. नि. स. आ., रेंज-II	
	2. सहकारी आवास परिमंडल	2. नि. स. आ., रेंज-XII	
	3. विशेष परिमंडल II	3. नि. स. आ., विशेष रेंज-II	
	4. जिला-II (I)	4. नि. स. आ., रेंज XXVI	
	5. न्याय परिमंडल	5. नि. स. आ., कर-निर्धारण, रेंज-IV	
	6. सर्वेक्षण परिमंडल-I	6. नि. स. आ., कर-निर्धारण, रेंज-XIV	

1	2	3
		7. नि.स.आ., सर्वेक्षण रेज-I
		8. नि.स.आ., कर निर्धारण रेज-V
4. आयकर आयुक्त अपील VII कलकत्ता	1. कम्पनी जिला V (ए, डी, ई एवं एफ वर्ड)	1. नि.स.आयुक्त, V रेज XXIV
	2. कम्पनी जिला-I	2. नि.स.आ., कर निर्धारण रेज-VII
		3. नि.स.आ., रेज I
		4. नि.स.आ., कर- निर्धारण रेज I
		5. नि.स.आ., कर निर्धारण रेज XI
5. आयकर आयुक्त अपील VIII कलकत्ता	1. कम्पनी जिला V, (ब वर्ड)	1. निर्देशी सहायक आयुक्त, रेज XXIV
	2. विशेष परिमंडल VI	2. नि.स.आयुक्त, विशेष रेज VI
	3. जिला V (1)	3. नि.स.आयुक्त, रेज VIII
	4. जिला V (2)	4. नि.स.आ., रेज IX
	5. विशेष परिमंडल III, V (2)	5. नि.स.आ., रेज-XIII
	6. जिला I (1)	6. नि.स.आ., रेज XVI
	7. जिला I (2)	7. नि.स.आयुक्त, रेज- XXVIII
	8. जिला I (3)	8. नि.स.आ., रेज-XXIX
	9. जिला I (4)	9. नि.स.आयुक्त, कर- निर्धारण, रेज-VIII
	10. त्रि. सर्वे परि- मंडल II	10. नि.स.आयुक्त रेज- V
	11. जिला VIII	

जहाँ कोई आयकर परिमंडल, वर्ड अथवा जिला अथवा रेज या उसका कोई भाग इस अधिसूचना द्वारा एक रेज में किसी अन्य रेज में अन्तर्लिखित कर दिया गया हो, वहाँ उस आयकर परिमंडल, वर्ड अथवा जिला अथवा रेज या उसके किसी भाग में किये गये निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना के तारिख से तत्काल पूर्व, रेज के उस आयकर आयुक्त (अपील) के समक्ष विचारार्थान पड़ी अपीलें, जिसके अधिकार-क्षेत्र में उक्त आयकर परिमंडल जिला, वर्ड अथवा रेज या उसका कोई भाग अन्तर्लिखित किया गया हो, इस अधिसूचना के लागू होने की तारिख से रेज के उस आयकर आयुक्त (अपील) को अन्तर्लिखित का जाएगी और उसके द्वारा निपटायी जाएगी जिसके अधिकार-क्षेत्र में उक्त कोई परिमंडल, जिला अथवा रेज या उसका कोई भाग अन्तर्लिखित किया गया है।

यह अधिसूचना 1-9-1985 से लागू होगी।

[सं. 6400/फा स 261/12/85-आ क. न्या.]

सुरेन्द्र पाण्डे, अधीक्षक सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 30th August, 1985

INCOME-TAX

S.O. 4924—In exercise of the powers conferred by Sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961), and in modification No. 5446 (F. No. 261/83-ITJ) dated 3-11-1983

as amended from time to time, the Central Board of Direct Taxes hereby directs that the CIT (Appeals)-II, III, IV, VII, VIII, Calcutta shall perform their functions in respect of such persons assessed to Income-tax or Sur-tax or Interest-tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in Column 2 and Column 3 thereof as are aggrieved by any of the orders mentioned in Clauses (a) to (h) of sub-section (2) of Section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 11 of the Companies (Profits) Sur-tax Act, 1964 (7 of 1964) and in sub-section (1) of Section 15 of the Interest-tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of Clause (1) of Sub-section (2) of Section 246 of the Income-tax Act, 1961.

Charges with Headquarters	Income-tax Wards and Circles	Ranges of IAC
1	2	3
1. CIT(A)-II, Calcutta	1. Comp. Dist. III (B, D, E, F & G Wards) 2. Comp. Dist. II (A to G Wards)	1. IAC, R-II 2. Spl. Asstt. R-I 3. IAC, Asstt. R-II 4. IAC, Asstt. R-XII 5. IAC, R-VII
2. CIT(A)-III, Calcutta	1. Comp. Dist. IV (other than A to G Wards) 2. Spl. Circle-I 3. Spl. Circle-IV 4. Foreign Section 5. Comp. Dist. V (G & H Wards)	1. IAC, R-XII 2. IAC, R-XIIA 3. IAC, Asstt. R-III 4. IAC, Asstt. R-XIII 5. IAC, R-I 6. IAC, R-XXIV
3. CIT(A)-IV Calcutta	1. Comp. Dist. IV (A to G Wards) 2. Co-operative Housing Circle 3. Spl. Circle-II 4. District II(1) 5. Trust Circle 6. Survey Circle-I	1. IAC, R-II 2. IAC R-XII 3. IAC, Spl. R-II 4. IAC, R-XXVI 5. IAC, Asstt. R-IV 6. IAC, Asstt. R-XIV 7. IAC, Survey R-I 8. IAC, Asstt. R-V
4. CIT(A)-VII, Calcutta	1. Comp. Dist. V (A, D, E & F Wards) 2. Comp. Dist. I	1. IAC, R-XXIV 2. IAC, Asstt. R-VII 3. IAC, R-I 4. IAC, Asstt. R-I 5. IAC, Asstt. R-XI
5. CIT(A)-VIII, Calcutta	1. Comp. Dist. V (B Wards) 2. Spl. Circle-VI 3. Dist. VI(1) 4. Dist. V(2) 5. Spl. Circle-III, V(2) 6. Dist. I(1) 7. Dist. I(2) 8. Dist. I(3) 9. Dist. I(4) 10. SSC-II 11. Dist. VIII	1. IAC, R-XXIV 2. IAC, Spl. R-VI 3. IAC, R-VIII 4. IAC, R-IX 5. IAC, R-XIII 6. IAC, R-XVI 7. IAC, R-XXVIII 8. IAC, R-XXIX 9. IAC, Asstt. R-VIII 10. IAC, R-V

Whereas an Income-tax Circle, Ward or District or Range or part thereof stands transferred by this Notification from

charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this Notification before the CIT(A) of the charge from which that Income-tax Circle, District, Ward or Range or part thereof is transferred shall, from the date of this Notification takes effect be transferred to and dealt with by the CIT(A) of the charge to whom the said Ward, Circle or District or Range or part thereof is transferred.

This Notification shall take effect from 1-9-1985.

[No. 6400/F.No. 261/12/85-ITJ]
SURENDER PAL, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 23 सितम्बर, 1985

सा.आ. 4925.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन.ए. पुरन्दर रेड्डी को श्री सरस्वती ग्रामीण बैंक, अदिलाबाद, आन्ध्र प्रदेश का अध्यक्ष नियुक्त करती है तथा 1-5-1985 से प्रारम्भ होकर 30-4-1988 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री ए. पुरन्दर रेड्डी अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक 2-2/85-आर.आर.बी.]

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 23rd September, 1985

S.O.4925.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri A. Purnender Reddy as the Chairman of the Shri Saraswathi Gramina Bank, Adilabad (AP) and specifies the period commencing on the 1-5-1985 and ending with the 30-4-1988 as the period for which the said Shri A. Purnender Reddy shall hold office as such Chairman.

[No. F. 2-2/85-RRB]

सा.आ. 4926.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री आर. के. अबरोल को जिनकी उक्त अधिनियम की धारा 11 की उपधारा (1) के तहत गुडगाँव ग्रामीण बैंक गुडगाँव के अध्यक्ष के रूप में नियुक्ति की तीन वर्ष की पहली अवधि 25 अगस्त 1984 को समाप्त हो गई है, 26 अगस्त 1984 से प्रारम्भ होकर 30 जून 1985 को समाप्त होने वाली अवधि के लिए, उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[सं. 8-14/80-आर.आर.बी.]

S.O. 4926.—In exercise of the powers conferred by sub-section 2 of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government reappoints Shri R. K. Abrol, as the Chairman of Gurgaon Gramin Bank, Gurgaon whose earlier tenure of three years appointment under sub-section (1) of Section 11 had expired on 25-8-1984 for a period commencing from 26-8-1984 and ending with 30-6-1985.

[No. F. 8-14/80-RRB]

सा.आ. 4927.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन.ए. पुरन्दर रेड्डी को श्री सरस्वती ग्रामीण बैंक गुडगाँव गुडगाँव का अध्यक्ष नियुक्त करती है तथा 1/7/85 से प्रारम्भ होकर 30-6-1988 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री आर. जी. भिडे अध्यक्ष के रूप में कार्य करेंगे।

[सं. एक. 2-15/85-आर.आर.बी.]

S.O. 4927.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976, (21 of 1976), the Central Government hereby appoints Shri R. G. Bhide as the Chairman of the Gurgaon Gramin Bank, Gurgaon (Haryana) and specifies the period commencing on the 1st July, 1985 and ending with the 30th June, 1988 as the period for which the said Shri R. G. Bhide shall hold office as such Chairman.

[No. F. 2-15/85-RRB]

सा.आ. 4928.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन.ए. पुरन्दर रेड्डी को श्री सरस्वती ग्रामीण बैंक श्रीनगर का अध्यक्ष नियुक्त करती है तथा 2/6/85 से प्रारम्भ होकर 30-5-88 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री जी. एल. किचलू अध्यक्ष के रूप में कार्य करेंगे।

[सं. एक. 2-11/85-आर.आर.बी.]

S.O 4928.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri G.L. Kichlu as the Chairman of the Ellaquai Dehati Bank, Srinagar and specifies the period commencing on the 2.6.85 and ending with the 31.5.88 as the period for which the said Shri G. L. Kichlu shall hold office as such Chairman.

[No. F. 2-11/85-RRB]

नई दिल्ली, 24 सितम्बर, 1985

सा.आ. 4929.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री आर. एल. कचरू जिनकी धारा 11 की उपधारा (1) के तहत एलाक्वाई देहाती बैंक श्रीनगर के अध्यक्ष के रूप में नियुक्ति की तीन वर्ष की पहली अवधि 31 मार्च 1985 को समाप्त हो गई थी पहली अप्रैल 1985 से प्रारम्भ होकर पहली जून 1985 को समाप्त होने वाली अवधि के लिए, उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[सं. 2-11/85-आर.आर.बी.]

New Delhi, the 24th September, 1985

S.O. 4929.—In exercise of the powers conferred by sub-section 2 of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government reappoints Shri R.L. Kachroo as the Chairman of Ellaquai Dehati Bank, Srinagar whose earlier tenure of three years appointment under sub-section (1) of section 11 had expired on 31.3.85 for a period commencing from 1.4.85 and ending with 1.6.1985.

[No. F. 2-11/85-RRB]

सा.आ. 4930.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री ए.एस. राज को जिनकी धारा 11 की उपधारा (1) के तहत श्री सरस्वती ग्रामीण बैंक, अदिलाबाद के अध्यक्ष के रूप में नियुक्ति की तीन वर्ष की पहली अवधि 31 मार्च, 1985 को

समाप्त हो गई थी, पहली अप्रैल, 1985 से प्रारम्भ होकर 30 अक्टूबर, 1985 को समाप्त होने वाली अवधि के लिए, उक्त बैंक का पुनः अर्थनियुक्त करना है।

[सं. 2-2/85-आर. आर. बी.]

अ. वा. मोरचन्दानी, निदेशक

S.O. 4930.—In exercise of the powers conferred by sub-section 2 of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government reappoints Shri U. S. Rao as the Chairman of Sri Saraswathi Gramseena Bank, Adilabad whose earlier tenure of three years appointment under sub-section (1) of section 11 had expired on 31-3-85 for a period commencing from 1-4-1985 and ending with 30-4-85.

[No. F. 2-2/85-RRB]

C. W. MIRCHANDANI, Director
Director.

नई दिल्ली, 3 अक्टूबर, 1985

का.आ. 4931—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 10 (ख) की उपधारा (1) और (2) के उपबंध काशी नाथ सेठ बैंक लिमिटेड शाहजहापुर पर, दिनांक 2 सितम्बर, 1985 से पहली दिसम्बर, 1985 तक 3 महीने की अवधि के वास्ते या जब तक उस बैंक के लिए नियमित रूप से पूर्णकालिक अध्यक्ष तथा मुख्य कार्यपालक अधिकारी का नियुक्ति नहीं हो जाती, इनमें से जो भी पहले हो, लागू नहीं होंगे।

[संख्या 15/3/85-बी.ओ. III]

New Delhi, the 3rd October, 1985

S.O. 4931.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendations of the Reserve Bank of India hereby declares that the provisions of sub-section (1) and (2) of section 10-B of the said Act, shall not apply to the Kashi Nath Seth Bank Limited, Shahjahanpur, for a period of three months from 2nd September, 1985 to 1st December, 1985 or till the appointment of a regular whole-time Chairman and Chief Executive Officer for that bank, whichever is earlier.

[No. 15/3/85-B. O. III]

का.आ. 4932—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबंध बारी दो आब बैंक लिमिटेड पर दिनांक 14 सितम्बर, 1986 तक लागू नहीं होंगे जहां तक इनका संबंध उनके द्वारा प्रेमगढ़ जिला होशियारपुर पंजाब में धारित भू-सम्पत्ति से है।

[संख्या 15/26/83-बी.ओ. -III]

S.O. 4932.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to Bari Doab Bank Limited for a period upto the 14th September, 1986 in respect of the landed property held by it at Premgarh, Hoshiarpur District, Punjab.

[No. 15/26/83-B. O. III]

नई दिल्ली, 4 अक्टूबर, 1985

का.आ. 4933—भारतीय स्टेट बैंक, (अनुषंगी बैंक) अधिनियम, 1959 (1959 का 33) की धारा 25 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय स्टेट बैंक के परामर्श से, एतद्वारा नीचे की सारणी के कालम (2) में उल्लिखित व्यक्तियों को उनमें से प्रत्येक के समाने उसी सारणी के कालम 3 में उल्लिखित व्यक्तियों के स्थान पर सारणी के कालम (1) में दिए गए अनुषंगी बैंकों के निदेशक के रूप में नामित करती है:

सारणी		
(1)	(2)	(3)
1. स्टेट बैंक आफ इंदौर	श्रीमती न. जबर रहमान साहूनी, उपसचिव वित्त मंत्रालय, आर्थिक कार्य विभाग, (बैंकिंग प्रभाग) नई दिल्ली।	श्री यशपाल सेठी
2. स्टेट बैंक आफ पटियाला	श्री प्रदीप कुमार उप सचिव वित्त मंत्रालय, आर्थिक कार्य विभाग, (बैंकिंग प्रभाग) नई दिल्ली।	श्री पी. पी. शर्मा

[सं. एक 9/24/85-बी.ओ.-I]

एम.एस. सीथारामन, अवर सचिव

New Delhi, the 4th October, 1985

S.O. 4933 -In exercise of the powers conferred by clause (a) of sub-section (1) of section 25 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government, in consultation with the State Bank of India, hereby nominates, the persons specified in column (2) of the Table below as Directors of the Subsidiary Banks specified in column (1) thereof in place of the persons specified in the corresponding entry in column (3) of the said Table :

TABLE

(1)	(2)	(3)
1. State Bank of Indore	Mrs. Tajwar Rahman Shri Y.P. Sethi Sahni, Deputy Secretary, Ministry of Finance, Department of Economic Affairs, (Banking Division), New Delhi.	
2. State Bank of Patiala	Shri Pradeep Kumar Shri P.P. Sharma Deputy Secretary, Ministry of Finance, Department of Economic Affairs, (Banking Division), New Delhi.	

[No. F. 9/24/85—BO. I]

M.S. SEETHARAMAN, Under Secy.

विदेश मंत्रालय

नई दिल्ली, 17 सितम्बर, 1985

क्र. आ. 4934.—राजनयिक एवं कंसुलरी अधिकारी (एथस एवं फीस) अधिनियम 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुपालन में केन्द्र सरकार इसके द्वारा, पेरिंग स्थित भारत के राजदूतवास में सहायक श्री जितेंद्र बिर को 19-8-85 से कंसुलरी एजेंट का कार्य करने के लिए प्राधिकृत करता है।

[संख्या टा-4330/1/85]

के. जे. एस. सोधी, अवर सचिव

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 17th September, 1985

S.O. 4934.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri Jitinder Bir, Assistant in the Embassy of India, Paris to perform the duties of Consular Agent w.e.f. 19-8-85.

[No. T. 4330/1/85]

K. J. S. SODHI, Under Secy.

उद्योग और कम्पनी कार्य मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 7 अक्टूबर, 1985

क्र. आ. 4935.—एकधिकार तथा अवरोधक व्यापारिक व्यवस्था अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा इस अधिसूचना के अनुलग्नक में उल्लिखित उपक्रमों के पंजीकरण को, उक्त उपक्रमों के वह उपक्रम होने पर, जिन पर उक्त अधिनियम के अध्याय-III के भाग क के उपबन्ध अब लागू नहीं होते हैं, के निरस्तकरण को अधिसूचित करती है।

[सं. 16/12/85-एम.-3]

एल. सी. गोयल, अवर सचिव

अधिसूचना सं. 16/12/85-एम-3 का अनुलग्नक

क्रम सं.	उपक्रम का नाम	पंजीकृत पता	पंजीकरण संख्या
1	2	3	4
1.	मै. गंगा एस्बेस्टोज सी-मेन्ट लि.	दालमन रोड, पो. ओ. मंशोगंज, रायबरेली-229405 (यू. पी.)	1861/84
2.	मै. सोमा प्लंबिंग फिक्चर्स लि.	2-रेड क्रॉस प्लेस, कलकत्ता-700001	1135/85
3.	मै. त्रिवेणी इंजीनियरिंग वर्क्स लिमिटेड	'कैलाश' (2री मंजिल), 26-कस्तूरबा गांधी मार्ग, नई दिल्ली-110001	1461/79
4.	मै. कामनी अपार्कर लि.	—यथोपरि—	1465/79
5.	मै. एनाइटेड शिप्स एंड ट्रेडिंग लिमिटेड	—यथोपरि—	1462/79
6.	मै. इंजीनियरिंग एंड टेक्निकल सर्विसेज लि.	—यथोपरि—	1464/79
7.	मै. शक्ती शुगर लि.	शक्ती नगर, पो. ओ.-638315, पेरियार जिला, तमिलनाडु	2190/85

1	2	3	4
8.	मै. रायलसीमा पेपर मिल्स लि.	टी. जी. एल. बिल्डिंग्स टी. जी. एल. रोड, अदोनी-518301 (आंध्र प्रदेश)	1530/81
9.	मै. एंग्रोकॉर्पो ट्रांसपोर्ट लि.	ईस्ट कोस्ट सेन्टर, 553-अन्ना सालाई, टीनमपेट (4थी मंजिल), मद्रास-600018	1084/75
10.	मै. नोमा लिमिटेड	टण्डलजा, बाधोदरा-391410, गुजरात।	1568/82
11.	मै. मधुबन इन्वैस्टमेंट्स प्राइवेट लिमिटेड	'बोमोखल' पी. ओ. रसूलगढ़, भुवनेश्वर-751010 (उड़ीसा)	2059/84
12.	मै. बी. पण्डा एंड कम्पनी प्राइवेट लि.	'बोमोखल' पी. ओ. रसूलगढ़, भुवनेश्वर-751010 (उड़ीसा)	1510/80
13.	मै. बाराबती इन्वैस्टमेंट्स एंड ट्रेडिंग कम्पनी प्राइवेट लिमिटेड	—यथोपरि—	2267/85
14.	मै. के. बी. इन्वैस्टमेंट्स प्राइवेट लिमिटेड	—यथोपरि—	2060/84
15.	मै. पारमिता इन्वैस्टमेंट्स एंड ट्रेडिंग कम्पनी प्राइवेट लिमिटेड	—यथोपरि—	2269/85

MINISTRY OF INDUSTRY AND COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 7th October, 1985

S.O. 4935.—In pursuance of Sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of the undertakings mentioned in the Annexure to this notification, the said undertakings being undertakings to which the provisions of Part A Chapter III of the said Act no longer apply.

[No. 16/12/85-M-III]

L. C. GOYAL, Under Secy.

Annexure to the Notification No. 16/12/85. M-III

S. No.	Names of the Undertakings	Registered address	Registration No.
1	2	3	4
1.	M/s. Ganga Asbestos Cement Ltd.	Dalman Road, P.O. Munshiganj, Rae Bareilly-229405 (U.P.)	1861/84
2.	M/s. Soma Plumbing Fixtures Ltd.	2-Red Cross Place, Calcutta-700001	1135/75
3.	M/s. Triveni Engineering Works Ltd.	"Kailash" (2nd floor), 26-Kasturba Gandhi Marg New Delhi-110001.	1461/79
4.	M/s. Kamani Uparker Ltd.	-do-	1465/79

1	2	3	4
5.	M/s. United Shippers & Dredgers Ltd.	-do-	1462/79
6.	The Engineering & Technical Services Ltd.	-do-	1464/79
7.	M/s. Sakthi Sugars Ltd.	Sakthi nagar P.O. 638315 Periyar Distt. Tamilnadu	2190/85
8.	Sree Rayalascema Paper Mills Ltd.	T.G.L. Buildings T.G.L. Road, Adoni-518301 (A.P.)	1530/81
9.	M/s. Agrocargo Transport Ltd.	East Coast Centre 553- Anna Salai Teynampet (IV floor) Madras-600018.	1084/75
10.	M/s. Nima Limited	Tandalja, Vadodara-391410 Gujarat.	1568/82
11.	M/s. Madhuban Investment Private Ltd.	"Bomikhal" P.O. Rasulgarh Bhubaneswar-751010 (Orissa)	2059/84
12.	M/s. B. Panda & Co. Private Ltd.	-do-	1510/80
13.	M/s. Barabati Investment & Trading Co. Private Ltd.	-do-	2267/85
14.	M/s. K.B. Investments Private Ltd.	-do-	2060/84
15.	M/s. Paramita Investment & Trading Co. Private Ltd.	-do-	2269/85

5. श्री राजा कुमकर्णी,
अध्यक्ष
फेडरेशन आफ पेट्रोलियम वर्कर्स

[सं. 7/9/85-विस-II]

एस. कुमारस्वामी, निदेशक (वित्त)

MINISTRY OF PETROLEUM

New Delhi, the 30th September, 1985

S.O.4936.—In exercise of the powers conferred by clauses (c) and (d) of sub-section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974) the Central Government hereby reappoints the following members of the Oil Industry Development Board with effect from the 15th September, 1985 for a period not exceeding two years :—

1. Col. S.P. Wahi,
Chairman,
Oil & Natural Gas Commission. Members appointed under clause (c) to represent Corporation
2. Dr. S. Ganguli,
Chairman & Managing Director,
Indian Petrochemicals Corpn. Ltd.
3. Shri Joseph Kurien,
Chairman & Managing Director,
Madras Fertilizers Ltd.
4. Dr. Hari Narayan,
Ex. Director,
National Geophysical Research
Institute Hyderabad. Members appointed under clause (d).
5. Shri Raja Kulkarni,
President Federation,
of Petroleum Workers.

[No. 7/9/85-Fin. II]

M. KUMARASWAMI, Director (Finance)

नई दिल्ली, 14 अक्टूबर, 1985

पेट्रोलियम मंत्रालय

नई दिल्ली, 30 सितम्बर, 1985

का. आ. 4936.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) के उप-खंड 3 की धारा (ग) और (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार तेल उद्योग विकास बोर्ड के निम्नलिखित सदस्यों को 15 सितम्बर, 1985 से 2 वर्षों की अवधि के लिए पुनः नियुक्त करती है :—

1. कर्नेल एस. पी. बाही,
अध्यक्ष
तेल एवं प्राकृतिक गैस आयोग, धारा (ग) के अधीन नियुक्त सदस्यों को निम्नों का प्रतिनिधित्व करने के लिए।
2. डा. एस. गान्गुली,
अध्यक्ष एवं प्रबन्ध निदेशक,
इंडियन पेट्रोकेमिकल्स कॉर्पोरेशन लि
3. श्री जोसेफ कुरियन,
अध्यक्ष एवं प्रबन्ध निदेशक,
मद्रास फर्टिलाइजर्स लिमिटेड
4. डा. हरी नारायण,
भूतपूर्व निदेशक,
नेशनल जिओफिजिकल रिसर्च
इंस्टीट्यूट, हैदराबाद। धारा (घ) के अधीन नियुक्त सदस्य।

का. आ. 4937.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 3940 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिये अर्जित करने का अपना आणव्य घोषित कर दिया था,

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेण देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय सार्वभौमिक अधिकारों में सार्वभौमिक अधिकारों से मुक्त रूप में, घोषणा के प्रकाशन का इस तारीख को निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर तक पाइपलाइन बिछाने के लिए
राज्य : राजस्थान, जिला : टोंक तहसील : उनियारा

गांव	खसरा नं.	हेक्टर	आर	से. आर.
बाराणा	247	0	01	65
	249	0	01	29
	248	0	51	70
	252	0	18	96
	240	0	00	94
	254	0	14	52
	255	0	12	75
	239	0	01	34
	7/5	0	02	88
	238	0	13	97
	232	0	04	31
	284	0	21	83
	285/1	0	50	42
	312	0	14	40
	344	0	00	76
	308	0	07	11
	306	0	00	65
	307	0	12	42
	305	0	19	90
	364/2	0	04	96
	348	0	13	54
	347	0	13	21
	362	0	07	96
	349	0	03	77
	361	0	03	12
	359	0	00	53
	360	0	13	13
	356	0	06	09
	369	0	14	70
	370	0	22	27

[म. O—14016/480/85-जी. पी.]

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur
State : Rajasthan District : Tonk Tehsil : Uniyara

Village	Survey No	Hectare	Are	Centiare
Barana	247	0	01	65
	249	0	01	29
	248	0	51	70
	252	0	18	96
	240	0	00	94
	254	0	14	52
	255	0	12	75
	239	0	10	34
	267/5	0	02	88
	238	0	13	97
	232	0	04	31
	284	0	21	83
	285/1	0	50	42
	312	0	14	40
	344	0	00	76
	308	0	07	11
	306	0	00	65
	307	0	12	42
	305	0	19	90
	364/2	0	04	96
	348	0	13	54
	347	0	07	21
	362	0	07	96
	349	0	03	77
	361	0	03	12
	359	0	00	53
	360	0	13	13
	356	0	06	09
	369	0	14	70
	370	0	22	27

[No. O-14016/480/85-GP]

New Delhi, the 14th October, 1985

S.O. 4937.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3940 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline ;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

का. अ. 4937.—यतः पेट्रोलियम और खनिज पाइप लाइन (यूजि) में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) के धारा 3 के उपधारा (1) के अधिनियम सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का अ. सं. 3866 तारीख 7-8-85 द्वारा केन्द्र सरकार ने उस अधिसूचना से संलग्न अनुसूच में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों की बिछाने के लिये अर्जित करने का अपना प्राणय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम के धारा 6 के उपधारा (1) के अधिनियम सरकार की रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम के धारा 6 के उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्र सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूच में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और प्राप्ति उस द्वारा का उपधारा (4) द्वारा प्रकृत शक्तियों का प्रयोग करते हुए केन्द्र सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्र सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभा बाधाओं से मुक्त रूप से घोषणा के प्रकाशन का इस तारख को निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए

राज्य : राजस्थान, जिला-सवाई माधोपुर, तहसील : सवाई माधोपुर

गांव	खसरा नं.	हेक्टर	आर सेन्टीआर
बगावदा	93/2	0	07 43
	92	0	27 47
	91	0	33 29
	97	0	09 92
	96	0	24 06
	111	0	44 85
	118/2	0	02 32
	118/1	0	00 35
	119	0	27 62
	120	0	15 48
	121	0	06 30
	122	0	07 08
	127	0	17 62
	126	0	15 15
	136	0	51 38
	147	0	04 80
	150	0	38 67
	148	0	02 80
	149	0	01 68
	151	0	00 96
	314	0	15 12
	301	0	02 80
	313	0	61 26
	311	0	15 30
	310	0	03 09
	309	0	23 20
	600	0	29 08
	601	0	03 00
	602	0	66 00
	287	0	13 60
	286/1	0	01 28
	286/2	0	01 28
	285	0	45 00
	284	0	32 70
	614	0	03 00

[सं० O—14016/43/34-जे पी]

S.O. 4938.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3866 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

936 GI/85—2

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan, District : Sawai Madhopur Tehsil : Sawai Madhopur

Village	Survey No.	Hectare	Are	Centiare
Bagaveda	93/2	0	07	43
	92	0	27	47
	91	0	33	29
	97	0	09	92
	96	0	24	06
	111	0	44	85
	118/2	0	02	32
	118/1	0	00	36
	119	0	27	62
	120	0	15	48
	121	0	06	30
	122	0	07	08
	127	0	17	62
	126	0	15	15
	136	0	51	38
	147	0	04	80
	150	0	38	67
	148	0	02	80
	149	0	01	68
	151	0	00	96
	314	0	15	12
	301	0	02	80
	313	0	61	26
	311	0	15	30
	310	0	03	09
	309	0	23	20
	600	0	29	08
	601	0	03	00
	602	0	66	00
	287	0	12	60
	286/1	0	01	28
	286/2	0	01	28
	285	0	45	00
	284	0	32	70
	614	0	03	00

[No. O-14016/43/84-GP]

का०आ० 4939.—यह: पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का०आ० सं० 3868 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य : राजस्थान, जिला : टोंक तहसील : उनीयरा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
रेंजादा	2	0	42	47
	10/452	0	06	24
	10	0	30	29
	11	0	32	67
	12	0	36	53
	31/458	0	01	49
	31/1	0	50	49
	30	0	85	54
	27	0	11	74
	25/457	0	02	37
	26	0	26	88
	24	0	02	32
	142	0	23	02
	46	0	05	88
	47	0	07	60
	141	0	79	98
	141/267	0	06	70
	112	0	18	79
	113	0	02	35
	111	0	13	09
	114	0	33	36
	110	0	00	59
	109	0	23	08
	108	0	10	54
	106	0	55	02
	119	0	00	02

[सं. O—14016/147/85-जी. पी.]

S.O. 4939.—Whereas by notification of the Government of India in the Ministry of Petroleum, S.O. 3868 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land), Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur (Raj)

State : Rajasthan, District : Tonk Tehsil : Uniyera

Village	Survey No.	Hectare	Are	Centiare
Renjada	2	0	42	47
	10/452	0	06	24
	10	0	30	29
	11	0	32	67
	12	0	36	53
	31/4589	0	01	49
	31/1	0	50	49
	30	0	85	54
	27	0	11	74
	23/457	0	02	37
	26	0	26	88
	24	0	02	32
	142	0	23	02
	46	0	05	88
	47	0	07	60
	141	0	79	98
	141/257	0	06	79
	112	0	18	79
	113	0	02	35
	111	0	13	09
	114	0	33	86
	110	0	00	59
	109	0	23	08
	108	0	10	54
	106	0	55	82
	119	0	00	02

[No. O-14016/147/85-GP]

का०आ० 4940:—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना

क्रा.आ. सं० 3867 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

बिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए

राज्य : राजस्थान, जिला : टोंक तहसील : उनियारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
बिशनपुरा	82	0	03	12
	83	0	08	30
	81	0	38	48

[सं. O-14016/148/84-जी. पी.]

S.O. 4940.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3867 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land), Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification are hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur (Raj.)				
State : Rajasthan	District : Tonk.	Tehsil : Uniyara.		
Village	Survey No.	Hectare	Are	Centiare
Bishanpura	82	0	03	12
	83	0	08	30
	81	0	38	48

[No. O-14016/148/84-GP]

क्रा. प्रा. 4941.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना क्र. प्रा. सं० 865 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग के अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

बिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : टोंक तहसील : उनियारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
1	2	3	4	5
पक्षाची	141	0	14	04
	140	0	34	25
	137	0	14	82
	138	0	78	55
	151	0	13	48
	156	0	45	44
	154	0	01	98
	155	0	39	95
	172	0	66	07
	171	0	02	82
	170	0	07	14

1	2	3	4	5
	175	0	02	23
	181	0	00	47
	179	0	42	45
	178	0	78	26
	183	0	20	34

[सं. O—14016/157/84-जो. पी.]

S.O. 4941.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3865 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan	District : Tonk.	Tehsil : Unaiyara		
Village	Survey No.	Hectare	Acre	Centiare
Pacholi	141	0	14	04
	140	0	34	25
	137	0	14	82
	138	0	78	55
	151	0	13	48
	156	0	45	44
	154	0	01	96
	155	0	39	95
	172	0	66	07
	171	0	02	82
	170	0	07	14
	175	0	02	23
	181	0	00	47
	179	0	42	45
	178	0	78	26
	183	0	20	34

[No. O-14016/157/84-GP]

का० भा० 4942.—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना

का० भा० सं० 3906 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की उपधारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान	जिला : टोंक	तहसील : उनीयारा		
गांव	खसरा नं.	हेक्टर	आर	सेन्टियर
पचाला	48	0	31	78
	44	0	33	86
	53	0	26	73
	56	1	00	20
	57	0	28	51
	64	0	06	12
	65	0	03	86
	66	0	07	39
	122	0	08	06
	123	0	08	76
	1025	0	42	32
	128	0	05	40
	1024	0	52	91
	1023	0	05	39
	1021	0	05	40
	1022	0	34	95
	1045	0	08	51
	1020	0	13	66
	1046	0	40	39

गांव	खसरा नं.	हेक्टेयर	आर	सेन्टीयर
पंचाला	1019	0	67	74
	1050	0	10	07
	1016	0	01	49
	1012/2	0	06	63
	1012/1	0	19	01
	1010	0	02	67
	1052	0	12	77
	1053	0	00	94
	1054	0	48	81
	1955	0	24	50
	1056	0	34	51
	1057	0	05	85
	1061	0	01	19
	1067/2	0	25	84
	1064	0	23	86
	1122	0	00	35
	1120	0	03	56
	1067	0	03	76
	1141	0	07	55
	1121	0	00	47
	1140	0	27	32
	1159	0	13	66
	1158	0	06	90
	1157	0	06	24
	1156	0	19	67
	1155	0	01	94
	1154	0	22	05
	1153	0	04	60
	1170	0	07	01
	1186	0	16	77
	1187	0	11	88
	1242	0	02	15
	1230	0	04	68
	1229	0	08	18
	1228	0	10	69
	1227	0	01	18
	1226	0	07	24
	1225	0	22	01
	1224	0	39	95
	1210	0	01	34
	1220	0	12	62
	1284	0	02	08
	1265	0	00	16
	1278	0	07	94
	1277	0	02	36
	1275	0	91	85
	123	0	08	76

[सं. O-14016/167/84(जी पी)]

S.O. 4942.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3906 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Swai Madhopur (Raj.)

State : Rajasthan District : Tonk Tehsil Uniyara

Village	Survey No.	Hectare	Are	Centiare
1	2	3	4	5
Pachela	48	0	31	73
	44	0	33	86
	53	0	26	73
	56	1	00	20
	57	0	28	51
	64	0	06	12
	65	0	03	86
	66	0	07	39
	122	0	98	06
	123	0	08	76
	1025	0	42	32
	128	0	05	40
	1024	0	52	91
	1023	0	05	39
	1021	0	05	40
	1022	0	34	95
	1045	0	08	51
	1020	0	13	66
	1046	0	40	39
	1019	0	67	74
	1050	0	10	07
	1016	0	01	49
	1012/2	0	06	83
	1012/1	0	19	01
	1010	0	02	67
	1052	0	12	77
	1053	0	00	94
	1054	0	48	81
	1055	0	24	50
	1056	0	34	51
	1057	0	05	88
	1061	0	01	19
	1067/2	0	25	84
	1064	0	23	86
	1122	0	00	35
	1120	0	03	56
	1067	0	08	76

1	2	3	4	5
Pachela	1141	0	07	55
	1121	0	00	47
	1140	0	27	32
	1159	0	13	66
	1158	0	06	90
	1157	0	06	24
	1156	0	19	67
	1155	0	01	94
	1154	0	22	05
	1153	0	04	60
	1170	0	07	01
	1186	0	16	77
	1187	0	11	88
	1242	0	02	15
	1230	0	04	68
	1229	0	08	18
	1228	0	10	69
	1227	0	01	18
	1226	0	07	24
	1225	0	22	01
	1224	0	39	95
	1210	0	01	34
	1220	0	12	62
	1284	0	02	08
	1265	0	00	16
	1278	0	07	94
	1277	0	02	36
	1275	0	91	85
	123	0	08	76

[No. O-14016/167/84-GP]

का.आ. 4943.— यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 1011 तारीख 25-2-88 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची					
हाजिरा-बरेली-अगरीशपुर गैस पाइप लाइन प्रोजेक्ट					
जिला	तहसील	परगना	गांव	खाला सं.	लिया गया-रकबा- (एकड़ में)
1	2	3	4	5	6
जालौन	जालौन	जालौन	गोरा-बबूका	822	0-48
				823	0-48
				826	0-03
				842	0-00
				843	0-02
				846	0-75
				847	0-03
				852	0-08
				853	0-30
				854	0-03
				872	0-35
				873	0-00
				874	0-02
				875	0-02
				876	0-02
				881	0-54
				882	0-30
				885	0-70
				912	1-05
				913	0-02
				914	0-04
				915	0-08
				916	0-16
				917	0-02
				918	0-02
				938	0-06
				941	0-03
				954	0-40
				955	0-60
				956	0-03
				957	0-05
				961	0-09
				1008	0-18
				1009	0-60
				1010	0-03
				1011	0-15
				1014	0-30
				1015	0-30
				1016	0-03
				1018	0-20
				1019	1-05
				1021	1-00
				1031	0-03
				1036	0-30
				1039	0-02
				1040	0-54
				1041	0-03
				1045	0-20
				1046	0-50

1	2	3	4	5	6	1	2	3	4	5	6	7
जालौन				1081	0-03	Gorababuka				881	0-54	
				1086	0-75					882	0-30	
				1088	0-03					885	0-70	
				1090	0-75					912	1-05	
				1091	0-03					913	0-02	
				1111	0-68					914	0-04	
				1113	0-02					915	0-08	
				1114	0-02					916	0-16	
				1115	0-02					917	0-02	
				1116	0-63					918	0-02	
				1117	0-02					938	0-06	
				1118	0-02					941	0-03	
										954	0-40	
										955	0-60	

[सं. O-14016/137/85-जी पी]

S.O. 4943.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1011 dated 25-2-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

H.B.J. Gas Pipe Line project

Distt.	Tehsil	Pargana	Vill.	Plot No.	Area in acres
1	2	3	4	5	6
Jalaun	Jalaun	Jalaun	Gorababuka	822	0-48
				823	0-48
				826	0-03
				842	0-90
				843	0-02
				846	0-75
				847	0-03
				852	0-08
				853	0-30
				854	0-03
				872	0-36
				873	0-90
				874	0-02
				875	0-02
				876	0-02

[No. O-14016/137/85-GP]

क्र.सं. 4944.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम संस्थान की अधिसूचना क्र. आ. सं. 1530 तारीख 13-4-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न प्रत्यक्षी में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिये प्रजित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न प्रत्यक्षी में विनिर्दिष्ट भूमियों में उपयोग का अधिकार प्रजित करने का विनिश्चय किया है।

धारा, अतः, उक्त अधिनियम की धारा 8 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में सलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : उदयपुरी	तहसील : राधोगढ़	जिला : गुना राज्य (मध्य प्रदेश)
अनुक्र. क्रमांक	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)	
1. 30	0.219	
2. 41/4	0.094	
3. 40	0.230	
4. 41/5	0.1617	
5. 42	0.052	
6. 43	0.261	
7. 44	0.136	
8. 46	0.010	
9. 51	0.564	
10. 56	0.021	
11. 80	0.031	
12. 90/1	0.199	
13. 97	0.010	
14. 91	0.261	
15. 92	0.397	
16. 95	0.042	
17. 96	0.209	
18. 99	0.115	
19. 100	0.063	
20. 242	0.324	
21. 243	0.010	
22. 244	0.188	
23. 248	0.084	
24. 249	0.324	
25. 250	0.115	
26. 251	0.084	
27. 252	0.397	
28. 39	0.010	
29. 58	0.105	
30. 88/1	0.042	
योग : कुल क्षेत्रफल		4.764

[सं. O-14016/206/85-जी पी]

S.O. 4944.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1539 dated 13-4-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE HBJ GAS PIPE LINE PROJECT

Village : Udaypuri Thesil : Raghogarh Distt. : Guna		
S. No.	Survey No.	Area to be Acquired for R.O.U. in hector
1. 30		0.219
2. 41/4		0.094
3. 40		0.230
4. 41/5		0.1617
5. 42		0.052
6. 43		0.261
7. 44		0.136
8. 46		0.010
9. 51		0.564
10. 56		0.021
11. 80		0.031
12. 90/1		0.199
13. 97		0.010
14. 91		0.261
15. 92		0.397
16. 95		0.042
17. 96		0.209
18. 99		0.115
19. 100		0.063
20. 242		0.324
21. 243		0.010
22. 244		0.188
23. 248		0.084
24. 249		0.324
25. 250		0.115
26. 251		0.084
27. 252		0.397
28. 39		0.010
29. 58		0.105
30. 88/1		0.042
Total Area		4.764

[No. O-14016/206/85-GP]

का० आ० 4945.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का० आ० सं० 1540 तारीख 13-4-85

द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख को निहित होगा।

एच.बी. जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : विजयपुर	तहसील : राघोगढ़	जिला : गुना	राज्य : मध्य प्रदेश
अनुसूची			
क्र.सं.	खमरा नं०	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)	
1	2	3	
1.	406	0.240	
2.	407	0.320	
3.	410/1	0.105	
4.	410/2	0.314	
5.	411	0.105	
6.	417	0.083	
7.	420/1 मी	0.042	
8.	420/1 मी.	0.167	
9.	420/1 मी.	0.240	
10.	420/1 मी.	0.126	
11.	420/2	0.031	
12.	421	0.083	
13.	422	0.021	
14.	425	0.356	
15.	426	0.220	
16.	431	0.178	
17.	432	0.397	
18.	412	0.187	
19.	416	0.198	
20.	423	0.042	
21.	430	0.011	

1	2	3
22.	471	0.010
23.	418	0.378
24.	443	0.042
25.	464/1	0.167
26.	465	0.480
27.	467	0.021
28.	472/1 मी.	0.397
29.	473	0.356
30.	474	0.178
31.	476	0.083
32.	477	0.188
33.	488	0.439
34.	855 मी.	1.150
कुल क्षेत्रफल		7.355

[सं. O-14016/207/85-जी पी]

S.O. 4945.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1540 dated 13-4-1985 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land), Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

HBJ Gas Pipe Line Project

Village : Vijaypur Tehsil : Raghogarh Distt. : Guna.

SCHEDULE

Sl. No.	Survey No.	Area to be Acquired for R.O.U. in Hectar
1	2	3
1.	406	0.240
2.	407	0.320
3.	410/1	0.105
4.	410/2	0.314
5.	411	0.105
6.	417	0.083
7.	420/1M.	0.042
8.	420/1M.	0.167
9.	420/1M.	0.240
10.	420/1M.	0.126
11.	420/2	0.031
12.	421	0.083

1	2	3
13.	422	0.021
14.	425	0.356
15.	426	0.220
16.	431	0.178
17.	432	0.397
18.	412	0.187
19.	416	0.198
20.	423	0.042
21.	430	0.011
22.	471	0.010
23.	418	0.378
24.	443	0.042
25.	464/1	0.167
26.	465	0.480
27.	467	0.021
28.	472/1 M	0.397
29.	473	0.356
30.	474	0.178
31.	476	0.083
32.	477	0.188
33.	478	0.439
34.	855 M	1.150
Total Area		7.355

[No. O-14016/207/85-GP]

का. भा. 4948.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधिन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. भा. सं. 2091 तारीख 11-5-85 द्वारा केन्द्र सरकार ने उस अधिसूचना से संलग्न अनुसूच में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिये अर्जित करने का अर्पण घोषित कर दिया था ;

और यतः सशक्त अधिकारों ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधिन सरकार को रिपोर्ट देना है ;

और आगे यतः केन्द्र सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूच में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्र सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूच में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने प्रयोजन के लिये एतद्वारा अर्जित किया जाता है :

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन का इस तारख को निहत होगा ।

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

ग्राम : पिपारा तहसील : विछार जिला : जिवपुरा राज्य : मध्य प्रदेश

अनुसूची

अनु. क्र. खसरा नं. उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में)

1	2	3
1.	287	0.052
2.	282	0.022

1	2	3
3.	233	0.116
4.	234	0.105
5.	205	0.084
6.	297	0.073
7.	298	0.105
8.	299	0.021
9.	300	0.073
10.	302	0.043
11.	303	0.136
12.	309	0.031
13.	310	0.418
14.	311	0.041
15.	312	0.010
16.	317	0.021
17.	320	0.021
18.	321	0.010
19.	225	0.010
20.	227	0.261
21.	229	0.209
22.	231	0.115
23.	224	0.251
24.	219	0.094
25.	218	0.335
26.	217	0.021
27.	160	0.021
28.	319	0.021
29.	113	0.042
30.	117	0.105
31.	118	0.261
32.	119	0.178
33.	156	0.042
34.	158	0.209
35.	155	0.105
36.	620	0.261
37.	687	0.282
38.	688	0.057
39.	689	0.073
40.	683	0.065
41.	677	0.470
42.	698	0.157
43.	700	0.335
44.	701	0.240
45.	699	0.209
46.	674	0.010
47.	678	0.010
48.	230	0.042
49.	285	0.073
50.	286	0.042
51.	313	0.031
52.	314	0.157
53.	316	0.010
54.	611	0.042
55.	621	0.010
56.	676	0.042
57.	682	0.021
योग : कुल क्षेत्रफल		9.772

[सं. O-14016/310/85-क.पी]

S.O. 4946.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2091 dated 11-5-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline:

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

HBJ GAS PIPE LINE PROJECT

Village : Pipra Tehsil : Pichhore Distt. : Shivpuri.

SCHEDULE

Sl. No.	Survey No.	Area to be Acquired for R.O.U. in Hecter
1	2	3
1.	287	0.052
2.	282	0.022
3.	283	0.116
4.	284	0.105
5.	295	0.084
6.	297	0.073
7.	298	0.105
8.	299	0.021
9.	300	0.073
10.	302	0.043
11.	303	0.136
12.	309	0.031
13.	310	0.418
14.	311	0.041
15.	312	0.010
16.	317	0.021
17.	320	0.021
18.	321	0.010
19.	225	0.010
20.	227	0.261
21.	229	0.200
22.	231	0.115
23.	224	0.251
24.	219	0.094
25.	218	0.335
26.	217	0.021
27.	160	0.021
28.	319	0.021
29.	113	0.042
30.	117	0.105
31.	118	0.261
32.	119	0.178
33.	156	0.042
34.	158	0.209

1	2	3
35.	155	0.105
36.	620	0.261
37.	687	0.282
38.	688	0.057
39.	689	0.073
40.	683	0.065
41.	677	0.470
42.	698	0.157
43.	700	0.335
44.	701	0.240
45.	699	0.209
46.	674	0.010
47.	678	0.010
48.	230	0.042
49.	285	0.073
50.	286	0.042
51.	313	0.031
52.	314	0.157
53.	316	0.010
54.	611	0.042
55.	621	0.010
56.	676	0.042
57.	682	0.021
Total Area		9.772

[No. O-14016/310/85-GP]

का० आ० 4947.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का० आ० सं० 3211 तारीख 4-7-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करता है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजिरा बरेली जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	गांव	गाटा सं.	दिखा गया रकबा (एकड़ में)
1	2	3	4	5	6
शाहजहाँपुर	सदर	कांट	रामखेड़ा	226	— 26
				224	— 40
				225	— 50
				223	— 05
				222	— 50
				221	— 01
				191	— 05
				189	— 00
				190	— 30
				188	— 15
				227	— 02

[सं. O-14016/382/85-जी पी]

S.O. 4947.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3211 dated 4-7-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of User in Land) Act, 1962 (50 of 1962), the Central Government notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

H.B.J. Gas Pipe Line Project

Distt.	Tehsil	Pargana	Village	Plot No.	Area in acers
1	2	3	4	5	6
Shahjhanpur	Sadar	Kant	Ramkhora	226	0.25
				224	0.40
				225	0.50
				223	0.05
				222	0.50
				221	0.01
				191	0.05
				189	1.00
				190	0.30
				188	0.15
				227	0.02

[No. O-14016/382/85-GP]

का. आ. 4948.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का० आ० सं० 3221 तारीख 4-7-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को विछाने के लिए अर्जित करने का अग्रता आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन विछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख की निहित होगी।

अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गाटा सं.	अर्जित रकबा (एकड़ में)
1	2	3	4	5	6
शाहजहाँपुर	सदर	जमीर	किसुर हाँ	321/2	— 20
				322	— 18
				357	— 01
				358	— 02
				359	— 35
				360	— 01
				365	— 02
				366	1 50
				367	— 30
				370	— 24
				371	— 11
				372	— 02
				373	— 25
				374	— 48
				375	— 20
				378	— 02

1	2	3	4	5	6	1	2	3	4	5	6
									Kisurhail (Contd.)	358	0.02
										359	0.35
										360	0.01
										365	0.02
										366	1.50
										367	0.30
										370	0.21
										371	0.11
										372	0.02
										373	0.25
										374	0.48
										375	0.20
										378	0.02
										387	0.45
										388	0.40
										390	0.11
										433	0.18
										434	1.10
										436	0.64
										437	0.06
										440	0.02
										441	0.18
										448	0.05
										541	1.2
										542	1.3
										543	0.0
										548	3.9
										549	3.1
										550	0.8
										551	2.0
										552	0.2
										553	0.5
										554	3.0
										555	1.2
										556	0.4
										565	5.0
										543	0.3

[सं. O-14016/385/85-जो फं.]

S.O. 4948.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3221 dated 4-7-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

H.B.J. Gas Pipe Line Project

Distt.	Tehsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shahjhanpur	Sadar	Jamaur	Kisurhail	321/2	0.20
				322	0.18
				357	0.01

[No. O-14016/385/85-GP]

का.आ. 4949.—यतः पेट्रोलियम और खनिज पाइप लाइने (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना सं. का. आ. 3712 तारीख 4-7-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आग्रह घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रिय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजिरा बरेली जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गाटा सं.	लिया गया रकबा (एकड़ में)
1	2	3	4	5	6
शाहजहाँपुर	सदर	कांट	अभयन	429	06
				440	15
				441	30

[सं. O-14016/386/85-जा० पा०]

S.O. 4949.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3712 dated 4-7-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land), Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

An further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification,

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

H.B.J. Gas Pipe Line Project

Distt.	Tehsil	Pargana	Village	Plot No.	Area in acers
1	2	3	4	5	6
Shahjhanpur	Sadar	Kant	Abhayan	428	0.06
				440	0.15
				441	0.30

[No. O-14016/386/85-GP]

का.अ. 4950 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 3509 तारीख 17-7-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हजिरा बरेली जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	गांव	गाटा सं.	लिया गया रकबा (एकड़ में)
1	2	3	4	5	6
शाहजहाँपुर	सदर	कांठ	सिकहरन	108	0.40
				107	0.18
				106	0.03
				110	0.27
				112	0.40
				128	0.11
				149	0.06
				150	0.36
				145	0.20
				144	0.04
				143	0.02
				142	0.05
				159	0.21
				160	0.31
				136	0.09
				161	0.42
				162	0.32
				163	0.05
				165	0.03

1	2	3	4	5	6
			सिकरहत	175	0.36
				174	0.17
				171	0.06
				172	0.02
				167	0.05
				169	0.01
				170	0.15
				190	0.39
				189	0.15
				198	0.05
				197	0.53
				238	0.80
				239	0.10
				227	0.41
				228	0.36
				222	0.30
				213	0.55
				214	0.16
				229	0.25
				134	0.02
				168	0.10
				173	0.05
				176	0.03
				195	0.05
				109	0.10
				151	0.01
				158	0.05
				191	0.03
				194	0.03
				224	0.01
				212	0.05
				225	0.05
				116	0.20
				226	0.03
				280	0.18

[सं. O-14016/405/85-जीपी]

S.O. 4950.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3509 dated 17-7-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to require the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

HBJ Gas Pipe line Project

Distt.	Tehsil	Pargana	Village	Plot No.	Area in Acres
1	2	3	4	5	6
Shahjhanpur	Sadar	Kant	Sikarhan	108	0.40
				107	0.18
				106	0.03
				110	0.27
				112	0.40
				128	0.11
				149	0.06
				150	0.36
				145	0.20
				144	0.04
				143	0.02
				142	0.05
				159	0.21
				160	0.31
				136	0.09
				161	0.42
				162	0.32
				163	0.05
				165	0.03
				175	0.36
				174	0.17
				171	0.06
				172	0.02
				167	0.05
				169	0.51
				170	0.15
				190	0.39
				189	0.15
				198	0.05
				197	0.53
				238	0.80
				239	0.10
				227	0.10
				228	0.36
				222	0.30
				213	0.55
				214	0.16
				229	0.25
				134	0.02
				168	0.10
				173	0.05
				176	0.03
				195	0.05
				109	0.10
				151	0.01
				158	0.05
				191	0.03
				194	0.03
				224	0.01
				212	0.05
				225	0.05
				116	0.20
				226	0.03
				280	0.18

[No. O-14016/405/85-Gp]

का. अ. 4951 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. अ. सं. 3523 तारीख 17-7-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकार ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारत गैस प्राधिकरण लि. में सभ्य बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

पञ्च. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	पारगना	ग्राम	गाटा सं.	अर्जित रकबा है.
1	2	3	4	5	6
शाहजहाँ	तिलहर	तिलहर	दिया	69	1-50
	पुर		खेडा	67	0-03
				66	0-12
				64/3	2-38
				64/87	0-11
				55	0-33
				49	0-25
				56	0-01
				57	0-51
				54	0-01
				58	0-16
				47	0-09
				59	0-30
				46	0-08
				48	0-14
				83	0-13

[सं. O-14016/419/85-जीपी]

S.O. 4951.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3523 dated 17-7-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from encumbrances.

SCHEDULE

HBJ Gas Pipeline Project

Distt	Tehsil	Pargana	Village	Plot No.	Area in Acquired
1	2	3	4	5	6
Shahjahan	Tilhar	Tilhar	Dia Khera	69	1.50
				67	0.03
				66	0.12
				64/3	2.38
				64/87	0.11
				55	0.33
				49	0.25
				56	0.01
				57	0.54
				54	0.01
				58	0.16
				47	0.09
				59	0.30
				46	0.08
				48	0.14
				83	0.13

[No. O—14016/419/85-GP]

का. अ. 4952 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. अ. सं. 3712 तारीख 4-7-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा

घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

हाजिरा बरेली जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	गांव	गाटा सं.	लिया गया रकबा (एकड़ में)
1	2	3	4	5	6
कानपुर	डेरापुर	डेरापुर	जौरा	12	1-17-4
देहात				13	0-3-10
				14	0-9-0
				15	0-2-0
				21	0-10-10
				20	0-1-0
				22	0-15-10
				24	0-10-15
				26	0-15-10
				27	0-18-0

[सं. O-14016/475/85-जीपी]

S.O. 4952.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3929 dated 17-8-1985 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land), Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (i) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

936 GI/85-4

SCHEDULE

HBJ Gas Pipeline Project

Distt.	Tehsil	Pargana	Villago	Plot No.	Aera in Acres
1	2	3	4	5	6
Kanpur	Derapur	Derapur	Jaura	12	1-17-4
dehat				13	0-3-10
				14	0-9-0
				15	0-2-0
				21	0-10-10
				20	0-1-0
				22	0-15-10
				24	0-10-15
				26	0-15-10
				27	0-18-0

[No. O-14016/475/85-GP]

का. आ. 4953.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 3934 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि. में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

य.प्र. से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए

राज्य : राजस्थान जिला : सवाई माधोपुर तहसील : सवाई माधोपुर

गांव	खसरा नं.	हैक्टर	आर	सेंटेंनार
1	2	3	4	5
बोरदा	145	0	06	86
	176	0	90	36

1	2	3	4	5
बोर्दा-जार्ज	146	0	44	46
	175	0	07	25
	174	0	24	12
	173	0	08	12
	193	0	20	29
	193	0	00	02
	194	0	02	11
	195	0	26	28
	197	0	00	45
	218	0	27	68
	216	0	01	65
	217	0	04	70
	225	0	00	47
	219	0	00	25
	221	0	10	84
	222	0	02	28
	223	0	04	25
	224	0	09	05
	212	0	03	52
	211	0	00	20
	210	0	08	91
	209	0	26	88
	330	0	00	91
	331	0	01	91
	332	0	02	82
	333	0	02	42
	334	0	05	66
	335	0	02	47
	337	0	01	25
	336	0	03	52
	338	0	05	65
	339	0	05	83
	496	0	03	72
	495	0	02	60
	494	0	00	62
	341	0	01	25
	342	0	12	82
	491	0	04	76
	343	0	00	03
	476	0	02	23
	475	0	12	17
	473	0	10	98
	474	0	00	37
	450	0	14	78
	462	0	09	50
	461	0	19	52
	463	0	00	98

[सं. O-14016/481/85-जीपी]

S.O. 4953.—Whereas by notification of the Government of India in the Ministry of Petroleum, S.O. 3934 dated 7-8-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur (Raj.)

State Rajasthan District Sawai Madhopur Teh. Sawai Madhopur

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Borda	145	0	06	86
	176	0	90	36
	146	0	44	46
	175	0	07	25
	174	0	24	12
	173	0	08	12
	192	0	20	29
	193	0	00	02
	194	0	02	11
	195	0	26	28
	197	0	00	45
	218	0	27	68
	216	0	01	65
	217	0	04	70
	225	0	00	47
	219	0	00	25
	221	0	10	84
	222	0	02	28
	223	0	04	25
	224	0	09	05
	212	0	03	52
	211	0	00	20
	210	0	08	91
	209	0	26	88
	330	0	00	91
	331	0	01	91
	332	0	02	82
	333	0	02	42
	334	0	05	66
	335	0	02	47
	337	0	01	23
	336	0	03	52
	338	0	05	65
	339	0	05	83
	496	0	03	72
	495	0	02	60
	494	0	00	62
	341	0	01	15
	342	0	12	82

1	2	3	4	5
Borda—Contd.	491	0	04	76
	343	0	00	03
	476	0	02	23
	475	0	12	17
	473	0	10	98
	474	0	00	37
	460	0	14	78
	462	0	09	50
	461	0	19	52
	463	0	00	98

[No. O-14016/481/85-GP]

नॉ०आ० 4954.—यत्.पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना नॉ०आ० सं० 3937 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाईनों को बिछाने के प्रयोजन के लिये अर्जित करने का अपना अधिकार घोषित कर दिया था ;

और यत्: मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यत्: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय लिया है ;

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

बिजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइपलाईन बिछाने के लिए

राज्य : राजस्थान	जिला : सवाई माधोपुर	तहसील : सवाई माधोपुर		
गांव	खसरा नं.	हेक्टर	आर	सेंटीआर
1	2	3	4	5
ठेकड़ा	15	0	28	07
	17	0	36	09
	18	0	22	57

1	2	3	4	5
ठेकड़ा—जारा	21	0	05	05
	22	0	05	94
	23	0	01	49
	24	0	03	86
	60	0	04	46
	59	0	27	83
	62	0	04	16
	63	0	42	17
	76		07	50
	88	0	68	53
	89	0	17	52
	90	0	06	38
	45	0	55	40
	44	1	31	48
	36	0	96	07
	37	0	00	38
	35	0	01	80
	58	0	07	35

[सं. O-14016/482/85-जोपी]

S.O. 4954.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3937 dated 7-8-1985 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Vijaypur(M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Sawai Madhopur Tehsil : Sawai Madhopur

Village	Survey No.	Hectare	Are	Centiare
1	2	3	4	5
Thekra	15	0	28	07
	17	0	36	09
	18	0	22	57
	21	0	05	05
	22	0	05	94
	23	0	01	49
	24	0	03	86
	60	0	04	46
	59	0	27	83

1	2	3	4	5
Threkra (Contd.)	62	0	04	16
	63	0	42	17
	76	0	07	50
	88	0	68	53
	89	0	17	52
	90	0	06	38
	45	0	55	40
	44	1	31	48
	36	0	96	07
	37	0	00	38
	35	0	01	80
	58	0	07	35

[No. O—14016/482/85-GP]

का.आ. 4955.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना सं. का. आ. 3936 तारीख 7-8-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभा बाधाओं से मुक्त रूप से, घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक गैस पाइपलाइन बिछाने के लिए

राज्य : राजस्थान	जिला : टोंक	तहसील : उनीयारा		
गांव	खसरा नं.	हेक्टर	आर	सेंटोआर
1	2	3	4	5
हैदरपुरा	238	0	04	74
	239	0	39	21
	240	0	19	90
	229	0	00	15

1	2	3	4	5
हैदरपुरा (जारी)	241	0	01	22
	242	0	25	36
	245	0	06	83
	247/2	0	57	32
	247/1	0	77	40
	252	0	00	12
	249	0	40	10
	263	0	13	22
	250	0	24	50
	264	0	02	38
	265	0	30	22
	266	0	15	74
	267	0	34	16
	360	0	31	99
	373	0	02	82
	374	0	37	57
	359	0	09	50
	362	0	07	21
	353	0	26	35
	354	0	47	68
	358	0	40	69
	390	0	19	31
	391	0	15	59
	389	0	53	02
	394	0	00	88

[सं. O-14016/483/85-अ(पा)]

S.O. 4955.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3936 dated 7-8-1985 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Vijaypur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Tonk. Tehsil : Uniyara

Village	Survey No.	Hectare	Are	Centiare
Haidarpura	238	0	04	74
	239	0	39	21

1	2	3	4	5
Haidaripura	240	0	19	90
(Contd.)	279	0	00	15
	241	0	01	22
	242	0	25	36
	245	0	06	83
	247/2	0	57	32
	247/1	0	77	40
	252	0	00	12
	249	0	40	10
	263	0	13	22
	250	0	24	50
	264	0	02	38
	265	0	30	22
	266	0	15	74
	267	0	34	16
	360	0	31	99
	373	0	02	82
	374	0	37	57
	359	0	09	50
	352	0	07	21
	353	0	26	35
	354	0	47	68
	358	0	40	69
	390	0	19	31
	391	0	15	59
	389	0	53	02
	394	0	00	68

[No. O—14016/483/85-GP]

का० आ० 4956.—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का० आ० सं० 2313 तारीख 1-6-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सखम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप-लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार

में निहित होने के बजाय भारतीय गैस प्राधिकरण लि० में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एच. बी. जे. गैस पाइपलाइन प्रोजेक्ट
ग्राम—पिरोड गहसोल—कोनारग जिला—गिरधपुरी राज्य—(मध्य प्रदेश)

अनु. क्र./	खसरा नं./	उपयोग अधिकार अर्जन का क्षेत्र (हेक्टर में म)
1	2	3
1.	919	0.042
2.	920	0.136
3.	921	0.314
4.	898	0.010
5.	883	0.020
6.	876	0.010
7.	826	0.272
8.	2110	0.021
9.	2012	0.314
10.	922	0.314
11.	2030	0.010
12.	2063	0.010
13.	923	0.157
14.	924	0.021
15.	925	0.408
16.	900	0.146
17.	899	0.209
18.	890	0.606
19.	884	0.303
20.	1173	0.345
21.	885	0.082
22.	870	0.105
23.	877	0.251
24.	845	0.324
25.	1185	0.167
26.	841	0.031
27.	869	0.052
28.	844	0.136
29.	839	0.345
30.	840	0.251
31.	1186	0.010
32.	828	0.042
33.	829	0.282
34.	825/1	0.157
35.	1023	0.042
36.	1039	0.188
37.	1015	0.167
38.	1036	0.125
39.	1024	0.366
40.	1025	0.021
41.	1024/2410	0.167
42.	1035	0.136
43.	1040	0.188

1	2	3
44.	1174	0.052
45.	1173/2423	0.010
46.	1184	0.146
47.	2298 मी.	0.167
48.	2303	0.391
49.	2306	0.199
50.	2307 मी.	0.084
51.	2277	0.021
52.	2308	0.230
53.	2278	0.115
54.	2272	0.157
55.	2356	0.073
56.	2262	0.261
57.	2263	0.021
58.	2264	0.136
59.	2121	0.010
60.	2121/2430	0.418
61.	2143	0.314
62.	2144	0.073
63.	2101	0.031
64.	2014	0.125
65.	2019	0.157
66.	2013	0.063
67.	2023	0.209
68.	2025	0.084
69.	2022	0.042
70.	2024	0.073
71.	2029	0.178
72.	2082	0.188
73.	2069	0.282
74.	2074	0.051
75.	2073	0.209
76.	2070	0.010
77.	2061	0.084
78.	2062	0.261
79.	2048	0.167
80.	2047 मी.	0.105
81.	2265 मी.	0.470
82.	926	0.105
83.	1027	0.105
84.	1038	0.031
85.	1043	0.042
86.	1169	0.031
87.	2289	0.031
88.	2290	0.010
89.	2291	0.021
90.	2299	0.054
91.	2309	0.063
92.	2280	0.010
93.	2279	0.010
94.	2273	0.010
95.	2269	0.031
96.	2355	0.156
97.	2268	0.063
98.	2267	0.042

1	2	3
99.	2261	0.700
100.	2260	0.052
101.	2257	0.157
102.	2256	0.315
103.	2120	0.157
104.	2112	0.805
105.	2109	0.063
106.	2108	0.084
107.	2107	0.063
108.	2104	0.010
109.	2102	0.452
110.	2100	0.653
111.	2098	0.021
112.	2010	0.523
113.	2034	0.157
114.	2035	0.042
115.	2083	0.167

योग: 18.216

[सं. O-14016/329/85-जीपी]

एम. एस. श्रीनिवासन, उप सचिव

S.O. 4956.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2313 dated 1-6-85 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited, free from all encumbrances.

SCHEDULE

HBJ Gas Pipeline Project

Village—Pirotha Tehsil—Kolaras Distt.—Shivpuri

S.No.	Survey No.	Area to be Acquired For R.O.U. in Hector
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1	2	3
1.	919	0.042
2.	920	0.136
3.	921	0.314
4.	898	0.010
5.	883	0.020

1	2	3	1	2	3
6.	876	0.010	72.	2082	0.188
7.	826	0.272	73.	2069	0.282
8.	2110	0.021	74.	2074	0.051
9.	2012	0.314	75.	2073	0.209
10.	922	0.314	76.	2070	0.010
11.	2030	0.010	77.	2061	0.084
12.	2063	0.010	78.	2062	0.261
13.	923	0.157	79.	2048	0.167
14.	924	0.021	80.	2047 M	0.105
15.	925	0.408	81.	2265 M	0.470
16.	900	0.146	82.	926	0.105
17.	899	0.209	83.	1037	0.105
18.	890	0.606	84.	1038	0.031
19.	884	0.303	85.	1043	0.042
20.	1173	0.345	86.	1169	0.031
21.	885	0.082	87.	2289	0.031
22.	870	0.105	88.	2290	0.010
23.	877	0.261	89.	2291	0.021
24.	843	0.324	90.	2299	0.054
25.	1185	0.167	91.	2309	0.063
26.	841	0.031	92.	2280	0.010
27.	869	0.052	93.	2279	0.010
28.	844	0.136	94.	2273	0.010
29.	839	0.345	95.	2269	0.031
30.	840	0.251	96.	2355	0.156
31.	1186	0.010	97.	2268	0.063
32.	828	0.042	98.	2267	0.042
33.	829	0.282	99.	2261	0.700
34.	825/1	0.157	100.	2260	0.052
35.	1023	0.042	101.	2257	0.157
36.	1039	0.188	102.	2256	0.315
37.	1015	0.167	103.	2120	0.157
38.	1036	0.125	104.	2112	0.805
39.	1024	0.167	105.	2109	0.063
40.	1025	0.021	106.	2108	0.084
41.	1024/2418	0.167	107.	2107	0.063
42.	1035	0.136	108.	2104	0.010
43.	1040	0.188	109.	2102	0.452
44.	1174	0.052	110.	2100	0.653
45.	1173/2423	0.010	111.	2098	0.021
46.	1184	0.146	112.	2010	0.523
47.	2298 M	0.167	113.	2034	0.157
48.	2303	0.391	114.	2035 [0.042
49.	2306	0.199	115.	2083	0.167
50.	2307 M.	0.084			
51.	2277	0.021		Total	18.216
52.	2308	0.230			
53.	2278	0.115			
54.	2272	0.157			
55.	2356	0.073			
56.	2262	0.261			
57.	2263	0.021			
58.	2264	0.136			
59.	2121	0.010			
60.	2121/2430	0.418			
61.	2143	0.314			
62.	2144	0.073			
63.	2101	0.031			
64.	2014	0.125			
65.	2019	0.157			
66.	2013	0.063			
67.	2023	0.209			
68.	2025	0.084			
69.	2022	0.042			
70.	2024	0.073			
71.	2029	0.178			

[No. O-14016/329/85 G(P)]

M. S. SRINIVASAN, Dy. Secy.

कृषि और ग्रामीण विकास मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 4 अक्टूबर, 1985

का. आ. 4957.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम, 10 के उप नियम (4) के अनुसरण में कृषि और ग्रामीण विकास मंत्रालय (कृषि और सहकारिता विभाग) के निम्नलिखित कार्यालयों को अधिसूचित करती है, जिनके कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है:

(1) राष्ट्रीय सहकारी धनिक संघ (भरपाई), ज. 9/29, राजौरी गार्डन, नई दिल्ली 110027.

(2) राष्ट्रीय सहकारी भूमि विकास बैंक संघ, शिवमक्ति, दूसरा तल, बी. जी. खैर रोड, बली, बम्बई 400018।

- (3) राष्ट्रीय राज्य सहकारी बैंक संघ लि., जा. एन. बसंत रोड, बर्ली, बम्बई-400011।
- (4) राष्ट्रीय सहकार, गृह मंत्र, एम-5, मैतम हाऊस-1, कर्नपुरा समुदायिक केंद्र, नई दिल्ली-110015।
- (5) केन्द्रीय पशु पक्षी पंजीकरण योजना, 10, गौतम विहार सहकार, गृह मंत्रालय, उस्मानपुरा, अहमदाबाद-13।

[संख्या 3-11/78-हिंदी नेति]

भगम सिंह, निदेशक (राजभाषा)

MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

(Department of Agriculture & Coopn.)

New Delhi, the 4th October, 1985

S.O. 4957.—In pursuance of sub-rule (4) of rule 10 of the Official Language (use of official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Agriculture and R. D. (Department of Agriculture and Cooperation); the staff of which has acquired working knowledge of Hindi :—

1. National Federation of Labour Cooperative Ltd., J 9/29, Rajouri Garden, New Delhi-110027.
2. National Cooperative Land Development Banks Federation, Shivshakti, 2nd Floor, B. G. Kher Road, Worli, Bombay-400018.
3. National Federation of State Cooperative Banks Ltd., Garment House, Dr. Annie Besant Road Worli, Bombay-400018.
4. National Cooperative Housing Federation, M-5 Magnum House-I, Karampura Community Centre, New Delhi-110015.
5. Central Herd Registration Scheme, 10 Gautam Vihar Cooperative Housing Society, Usmanpura, Ahmedabad-13.

[No. 3-11/78-Hindi Neeti]

BHAGAT SINGH, Director (Official Language)

सौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 8 अक्टूबर, 1985

क्र. आ. 4958 : डाक-कर्मकार (नियोजन का विनियमन) स्कीमों का संशोधन करने के लिए कनिष्ठ स्कीमों का प्रारूप, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) के अपेक्षासुसार भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 4 मई, 1985 के पृष्ठ 2305-2309 पर भारत सरकार के सौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना क्र. आ. सं. 1915, तारीख 23 अप्रैल, 1985 के अधीन प्रकाशित किया गया था जिसमें ऐसे सभी व्यक्तियों से, जिनके उससे प्रभावित होने की संभावना थी, उक्त अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि की समाप्ति तक आक्षेप और सुझाव मांगे गए थे ;

और उक्त राजपत्र जनता को 4 मई, 1985 को उपलब्ध करा दिया गया था ;

और केन्द्रीय सरकार ने उक्त प्रारूप के संबंध में जनता से प्राप्त आक्षेपों और सुझावों पर विचार भी किया है और ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, डाक कर्मकार (नियोजन का विनियमन) स्कीमों पर और संशोधन करने के लिए निम्नलिखित स्कीम बनाता है; अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ : (1) इस स्कीम का संक्षिप्त नाम डाक कर्मकार (नियोजन पर विनियमन) संशोधन स्कीम, 1985 है।

(2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।

2. अनुसूची में विविध स्कीमों का संशोधन इसमें उल्लिखित रीति से की जावे।

अनुसूची

क्रम सं	संक्षिप्त नाम	संशोधन
(1)	(2)	(3)
1. मुख्य डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1956	(1) खंड 6 के प्रथम परन्तुक में, "एक हजार छह सौ पचास रुपए और उससे अधिक" शब्दों के स्थान पर "दो हजार रुपए और उससे अधिक" शब्द रखे जाएंगे ;	
	(2) खंड 9 के उपखंड (आ) में, : (क) मद (1) में, "एक हजार छह सौ रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस रुपए" शब्द रखे जाएंगे ; (ख) मद (2) में, "एक हजार छह सौ रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस रुपए" शब्द रखे जाएंगे ;	
	(3) खंड 10 में, उपखंड (क) में, "एक हजार दो सौ पचास रुपए" शब्दों के स्थान पर "एक हजार छह सौ तीस रुपए" शब्द रखे जाएंगे ;	
	(4) खंड 11 में, मद (छ) के परन्तुक में, "एक हजार एक सौ पचास" शब्दों के स्थान पर "एक हजार पाँच सौ" शब्द रखे जाएंगे ;	
2. मद्रास डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1956	(1) खंड 6 के प्रथम परन्तुक में, "एक हजार छह सौ पचास रुपए और उससे अधिक" शब्दों के स्थान पर "दो हजार रुपए और उससे अधिक" शब्द रखे जाएंगे।	
	(2) खंड (9) में, उपखंड (1) की मद (ज) में, "एक हजार छह सौ रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस रुपए" शब्द रखे जाएंगे ;	
	(3) खंड 10 में, मद (घ) में, "एक हजार दो सौ पचास" शब्दों के स्थान पर "एक हजार छह सौ तीस" शब्द रखे जाएंगे ;	
	(4) मद 11 में, मद (छ) के परन्तुक में, "आठ सौ पचास रुपए" शब्दों के स्थान पर "बारह सौ रुपए" शब्द रखे जाएंगे ;	

[illegible]

(1)	(2)	(3)	(1)	(2)	(3)
9. काङ्गला डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1969	(1) खंड 6 के प्रथम परंतुक में, "एक हजार छह सौ पचास रुपए" शब्दों के स्थान पर "दो हजार रुपए" शब्द रखे जाएंगे ; (2) खंड 10 में, उपखंड (i) की मद (अ) में,— (क) उपमद (i) में, "एक हजार छह सौ रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस रुपए" शब्द रखे जाएंगे ; (ख) उप मद (ii) में, "एक हजार छह सौ रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस रुपए" शब्द रखे जाएंगे ; (3) खंड 11 में, उपखंड (च) में, "एक हजार दो सौ पचास" शब्दों के स्थान पर "एक हजार छह सौ तीस रुपए" शब्द रखे जाएंगे ; (4) खंड 12 में, मद (छ) के परंतुक में, "आठ सौ पचास" शब्दों के स्थान पर "बारह सौ" शब्द रखे जाएंगे ;		12. कलकत्ता, छीलन और रंगरोगन कर्मकार (नियोजन का विनियमन) स्कीम, 1970	(1) खंड 6 के प्रथम परंतुक में, "एक हजार छह सौ पचास रुपए और उससे अधिक" शब्दों के स्थान पर "दो हजार रुपए और उससे अधिक" शब्द रखे जाएंगे ; (2) खंड 10 में, उप-खंड (1) की मद (अ) में, "एक हजार छह सौ" शब्दों के स्थान पर "एक हजार नौ सौ तीस" शब्द रखे जाएंगे ; (3) खंड 11 में, मद (च) में, "एक हजार दो सौ पचास रुपए" शब्दों के स्थान पर "एक हजार छह सौ तीस रुपए" शब्द रखे जाएंगे ; (4) खंड 12 में, मद (ज) की उप-मद (4) में, दो स्थानों पर "एक हजार एक सौ पचास रुपए" शब्दों के स्थान पर "एक हजार पांच सौ रुपए" शब्द रखे जाएंगे ;	
10. मुम्बई छीलन तथा रंग-रोगन कर्मकार (नियोजन का विनियमन) स्कीम, 1969	(1) खंड 5 के प्रथम परंतुक में, "एक हजार छह सौ पचास और उससे अधिक" शब्दों के स्थान पर "दो हजार और उससे अधिक" शब्द रखे जाएंगे ; (2) खंड 9 में, उपखंड (1) की मद (अ) में,— (क) उप-मद (i) में "एक हजार छह सौ" शब्दों के स्थान पर "एक हजार नौ सौ तीस" शब्द रखे जाएंगे ; (ख) उप-मद (ii) में, "एक हजार छह सौ" शब्दों के स्थान पर "एक हजार नौ सौ तीस रुपए" शब्द रखे जाएंगे ; (3) खंड 11 में, मद (क) के परंतुक में, "एक हजार एक सौ पचास रुपए" शब्दों के स्थान पर "एक हजार पांच सौ" शब्द रखे जाएंगे ;		13. कलकत्ता डाक लिपिकीय और पर्यवेक्षी (नियोजन का विनियमन). स्कीम, 1970	(1) खंड 5 में, उपखंड (4) के प्रथम परंतुक में, "एक हजार छह सौ पचास" शब्दों के स्थान पर "दो हजार" शब्द रखे जाएंगे ; (2) खंड 9 में, उपखंड (1) की मद (ज) में, "एक हजार छह सौ रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस" शब्द रखे जाएंगे ;	
11. कलकत्ता डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1970	(1) खंड 6 के प्रथम परंतुक में "एक हजार छह सौ पचास रुपए और उससे अधिक" शब्दों के स्थान पर "दो हजार रुपए और उससे अधिक" शब्द रखे जाएंगे ;		14. मुम्बई श्वाराक्ष उठाई-धराई कर्मकार (नियोजन का विनियमन) स्कीम 1975	(1) खंड 5 के प्रथम परंतुक में, "एक हजार दो सौ पचास और उससे अधिक" शब्दों के स्थान पर "दो हजार और उससे अधिक" शब्द रखे जाएंगे ; (2) खंड 9 में, मद (अ) में,— (क) उप-मद (i) में, "एक हजार" शब्दों के स्थान पर "एक हजार नौ सौ तीस" शब्द रखे जाएंगे ;	

(1)	(2)	(3)
		(ख) उप-मद (ii) में, "एक हजार" शब्दों के स्थान पर "एक हजार नौ सौ तीस" शब्द रखे जाएंगे ;
		(3) खंड 10 में, (इ) में, "सात सौ पचास" शब्दों के स्थान पर "एक हजार छह सौ तीस" शब्द रखे जाएंगे ;
		(4) खंड 11 में, मद (छ) के परंतुक में, "पांच सौ पचहत्तर" शब्दों के स्थान पर "एक हजार पांच सौ" शब्द रखे जाएंगे ;
15. मुम्बई डाक निकासी और अग्रेषण कर्मकार (नियोजन का विनियमन) स्कीम, 1983	(1)	खंड 5 के प्रथम परंतुक में "1650 और उससे अधिक" अंकों और शब्दों के स्थान पर "दो हजार और उससे अधिक" शब्द रखे जाएंगे ;
	(2)	खंड 9 में, उप-खंड (1) की मद (ज) में, दो स्थानों पर "एक हजार छह सौ पचास रुपए" शब्दों के स्थान पर "एक हजार नौ सौ तीस" शब्द रखे जाएंगे ;
	(3)	खंड 10 में, मद (इ) में, "बारह सौ पचास" शब्दों के स्थान पर "एक हजार छह सौ तीस" शब्द रखे जाएंगे ;
	(4)	खंड 11 में, मद (छ) के परंतुक में, "1150 रुपए" अंकों और शब्दों के स्थान पर "एक हजार पांच सौ रुपए" शब्द रखे जाएंगे ।

[फा. सं. एल डी ओ/107/184-एल II]

वी. संकरलिंगम, उप सचिव

MINISTRY OF TRANSPORT

(Department of Surface Transport)

New Delhi, the 8th October 1985

S.O. 4958 :—Whereas certain draft scheme to amend the Dock Workers (Regulation of Employment) Schemes was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 48) at pages 2305-2313 of the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 4th May, 1985 under notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) S.O. No. 1915 dated the 23rd April, 1985 inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of two months from the date of publication of the said notification in the Official Gazette;

And whereas the said Gazette was made available to the public on the 4th May, 1985;

And whereas objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following Scheme, further to amend the Dock Workers (Regulation of Employment) Schemes, namely:—

1. Short title and commencement:—(1) The Scheme may be called the Dock Workers (Regulation of Employment) Amendment Scheme, 1985.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. The Schemes specified in the Schedule are hereby amended in the manner mentioned therein.

SCHEDULE

S. Short title No.	Amendments
(1)	(2)
1. The Bombay Dock Workers (Regulation of Employment) Scheme, 1956.	(i) in the first proviso to clause 6, for the words "one thousand six hundred and fifty and above", the words "two thousand and above" shall be substituted;
	(ii) in clause 9, in sub-clause (j)—
	(a) "in item (i), for the words rupees one thousand and six hundred", the words "one thousand nine hundred and thirty" shall be substituted;
	(b) in item (ii), for the words "rupees one thousand and six hundred", the words "one thousand nine hundred and thirty" shall be substituted;
	(iii) in clause 10, in sub-clause (e), for the words "rupees one thousand two hundred and fifty", the words "one thousand six hundred and thirty" shall be substituted;
	(iv) in clause 11, in the proviso to item (g), for the words "one thousand one hundred and fifty", the words "one thousand and five hundred" shall be substituted;
2. The Madras Dock Workers (Regulation of Employment) Scheme, 1956.	(i) in the first proviso to clause 6, for the words "rupees one thousand six hundred and fifty and above", the words "rupees two thousand and above" shall be substituted;

(1)	(2)	(3)	(1)	(2)	(3)
		(ii) in clause 9, in sub-clause (1), in item (j), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;			(ii) in clause 9 in sub-clause (1), in item (j), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;
		(iii) in clause 10, in item (f), for the words "one thousand two hundred and fifty", the words "one thousand six hundred and thirty" shall be substituted;			(iii) in clause 10, in item (f), for the words "one thousand two hundred and fifty", the words "rupees one thousand six hundred and thirty" shall be substituted;
		(iv) in clause 11, in the proviso to item (g), for the words "rupees eight hundred and fifty", the words "rupees twelve hundred" shall be substituted;			(iv) in clause 11, in the proviso to item (g), for the words "rupees eight hundred and fifty", the words "rupees twelve hundred" shall be substituted;
3. The Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957.		(i) in clause 4AA, in item (j), for the words "upto rupees one thousand six hundred and fifty", the words "upto rupees two thousand" shall be substituted;	6. The Mormugao Dock Workers (Regulation of Employment) Scheme 1965.		(i) in the first proviso to clause 6, for the words "rupees one thousand six hundred and fifty and above", the words "rupees two thousand and above" shall be substituted;
		(ii) in clause 5, in sub-clause (1) in item (g), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;			(ii) in clause 10, in sub-clause (1), in item (j), —
4. The Cochin Dock Workers (Regulation of Employment) Scheme, 1959.		(i) in the first proviso to clause 6, for the words "one thousand six hundred and fifty and above", the words "two thousand and above" shall be substituted;			(a) in sub-item (i), for the words "rupees one thousand and six hundred" the words "rupees one thousand nine hundred and thirty" shall be substituted;
		(ii) in clause 9, in sub-clause (1), in item (j), for the words "rupees one thousand and six hundred" the words "rupees one thousand nine hundred and thirty" shall be substituted;			(b) in sub-item (ii), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;
		(iii) in clause 10, in item (f), for the words "one thousand two hundred and fifty", the words "rupees one thousand six hundred and thirty" shall be substituted;			(iii) in clause 11, in item (f), for the words "one thousand two hundred and fifty", the words "rupees one thousand six hundred and thirty" shall be substituted;
		(iv) in clause 11, in proviso to item (g), for the words "rupees eight hundred and fifty", the words "rupees twelve hundred" shall be substituted;			(iv) in clause 12, in the proviso to item (g) for the words "rupees eight hundred and fifty", the words "rupees twelve hundred" shall be substituted;
5. The Visakhapatnam Dock Workers (Regulation of Employment) Scheme, 1959.		(i) in the first proviso to Clause 6, for the words "one thousand six hundred and fifty and above", the words "rupees two thousand and above" shall be substituted;	7. The Visakhapatnam Unregistered Dock Workers (Regulation of Employment) Scheme, 1968.		(i) in the first proviso to clause 5, for the words "one thousand six hundred and fifty and above," the words "rupees two thousand and above" shall be substituted;

(1)	(2)	(3)	(1)	(2)	(3)
		(ii) in clause 9, in sub-clause (1), in item (h), for the words "one thousand and six hundred" the words "rupees one thousand nine hundred and thirty" shall be substituted;			two hundred and fifty", the words "one thousand six hundred and thirty" shall be substituted;
		(iii) in clause 10, in item (f), for the words "one thousand two hundred and fifty" the words "one thousand six hundred and thirty" shall be substituted;			(iv) in clause 12, in the proviso to item (g), for the words "eight hundred and fifty", the words "twelve hundred" shall be substituted;
		(iv) in clause 12, in the proviso to item (g), for the words "rupees eight hundred and fifty", the words "rupees twelve hundred" shall be substituted;	10. The Bombay Chipping and Painting Workers (Regulation of Employment) Scheme, 1969.		(i) in the first proviso to clause 5, for the words "one thousand six hundred and fifty and above", the words "two thousand and above" shall be substituted;
8. The Kandla Unregistered Dock Workers (Regulations of Employment) Scheme, 1968.		(i) in the first proviso to clause 5, for the words "rupees one thousand six hundred and fifty and above", the words "rupees two thousand and above" shall be substituted;			(ii) in clause 9, in sub-clause (1), in item (j),
		(ii) in clause 7, in sub-clause (1), in item (e), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;			(a) in sub-item (i), for the words "one thousand and six hundred", the words "one thousand nine hundred and thirty" shall be substituted;
		(iii) in clause 9, in the proviso to item (e), for the words "eight hundred and fifty", the words "twelve hundred" shall be substituted;			(b) in sub-item (ii), for the words "one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;
9. The Kandla Dock Workers (Regulation of Employment) Scheme, 1969.		(i) in the first proviso to clause 6, for the words "rupees one thousand six hundred and fifty", the words "rupees two thousand" shall be substituted;	11. The Calcutta Dock Workers (Regulation of Employment) Scheme, 1970.		(iii) in clause 11, in the proviso to item (g), for the words "rupees one thousand one hundred and fifty", the words "one thousand five hundred" shall be substituted;
		(ii) in clause 10, in sub-clause (1), in item (j),—			(i) in the first proviso to clause 6, for the words, "rupees one thousand six hundred and fifty and above", the words "rupees two thousand and above" shall be substituted;
		(a) in sub-item (i), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;			(ii) in clause 10, in sub-clause (1), in item (j), for the words "one thousand and six hundred", the words "one thousand, nine hundred and thirty" shall be substituted;
		(b) in sub-item (ii), for the words "rupees one thousand and six hundred", the words "rupees one thousand nine hundred and thirty" shall be substituted;			(iii) in clause 11, in item (f), for the words "one thousand two hundred and fifty", the words "one thousand six hundred and thirty" shall be substituted;
		(iii) in clause 11, in sub-clause (f), for the words "one thousand			(iv) in clause 12, in item (h), in sub-item (iv), for the words "one thousand one hundred and fifty" at two places, the words "one thousand and five hundred" shall be substituted;

(1)	(2)	(3)	(1)	(2)	(3)
12. The Calcutta Chipping and Painting Workers (Regulation of Employment) Scheme, 1970.	(i) in the first proviso to clause 6, for the words "rupees one thousand and six hundred and fifty and above", the words "rupees two thousand and above" shall be substituted;	(iv) in clause 11, in proviso to item (g), for the words "five hundred and seventy five", the words "one thousand and five hundred" shall be substituted;			
	(ii) in clause 10, in sub-clause (1), in item (j), for the words "rupees one thousand and six hundred", the words "one thousand nine hundred and thirty" shall be substituted;		15. The Bombay Dock Clearing and Forwarding Workers (Regulation of Employment) Scheme, 1983.	(i) in the first proviso to clause 5, for the figure and words "1650 and above", the words "two thousand and above" shall be substituted;	
	(iii) in clause 11, in item (f), for the words "rupees one thousand two hundred and fifty", the words "rupees one thousand six hundred and thirty" shall be substituted;			(ii) in clause 9, in sub-clause (1), in item (b), at two places, for the words "rupees one thousand six hundred and fifty", the words "one thousand nine hundred and thirty" shall be substituted;	
	(iv) in clause 12, in item (h), in sub-item (iv), for the words "rupees one thousand one hundred and fifty" at two places, the words "rupees one thousand and five hundred" shall be substituted;			(iii) in clause 10, in item (e), for the words "twelve hundred and fifty", the words "one thousand six hundred and thirty" shall be substituted;	
13. The Calcutta Dock Clerical and Supervisory Workers (Regulation of Employment) Scheme, 1970.	(i) in clause 5, in the first proviso to sub-clause (c), for the words "one thousand six hundred and fifty" the words "two thousand" shall be substituted;			(iv) in clause 11, in proviso to item (g), for the words and figure "rupees 1150", the words "rupees one thousand five hundred" shall be substituted.	
	(ii) in clause 9, in the item (b) of sub-clause (1), for the words "one thousand and six hundred", the words "one thousand nine hundred and thirty" shall be substituted;				
14. The Bombay Foodgrain Handling Workers (Regulation of Employment) Scheme, 1975.	(i) in the first proviso to Clause 5, for the words "one thousand two hundred and fifty and above", the words "two thousand and above" shall be substituted;				
	(ii) in clause 9, in item (i),—				
	(a) in sub-item (i), for the words "one thousand", the words "one thousand nine hundred and thirty" shall be substituted;				
	(b) in sub-item (ii), for the words "one thousand", the words "one thousand nine hundred and thirty" shall be substituted;				
	(iii) in clause 10 in item (e), for the words "seven hundred fifty" the words "one thousand six hundred and thirty" shall be substituted;				

[F. No. LDO/107/84—L. II]

V. SANKARALINGAM, Dy. Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 10 अक्टूबर, 1985

क्र० आ० 4959.—सिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 (1981 का 33) की धारा 8 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री टी.जी. नल्लामुत्तु प्रादेशिक अधिकारी केन्द्रीय फिल्म प्रमाणन बोर्ड, मद्रास को नल्लामुत्तु से अगले आदेश तक, सिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 तथा सिनेमा कर्मकार कल्याण उपकर अधिनियम, 1981 के प्रयोजनों के लिए मद्रास में मुख्यालय के साथ कल्याण आयुक्त नियुक्त करती है। श्री टी.जी. नल्लामुत्तु केन्द्रीय फिल्म प्रमाणन बोर्ड, मद्रास के कार्यालय में प्रादेशिक अधिकारी के पद पर भी कार्य करते रहेंगे।

[फ़ाइल संख्या 106/5/85—एफ (आई)]

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 10th October, 1985

S.O. 4959.—In exercise of the powers conferred by Sub-section (1) of section 8 of the Cine-Workers Welfare Fund Act, 1981 (83 of 1981), the Central Government hereby appoints Shri T. G. Nallamuthu, Regional Officer in the Central Board of Film Certification, Madras as Welfare Commissioner with Headquarters at Madras for the purposes of Cine-Workers Welfare Fund Act, 1981 and the Cine-Workers Welfare Cess Act, 1981, with immediate effect until further orders, Shri T. G. Nalamuthu will also continue to work as Regional Officer in the Office of Central Board of Film Certification, Madras.

[F. No. 106/5/85-F(i)]

का०आ० 4960.—मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 (1981 का 33) की धारा 8 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री आर. रंगनाथ, अपर प्रादेशिक अधिकारी, केन्द्रीय फिल्म प्रमाणन बोर्ड, त्रिवेन्द्रम को तत्काल से अगले आदेश तक, मिनेमा कर्मकार कल्याण निधि अधिनियम, 1983 तथा मिनेमा कर्मकार कल्याण उपकर अधिनियम, 1981 के प्रयोजनों के लिए त्रिवेन्द्रम में मुख्यालय के साथ कल्याण आयुक्त नियुक्त करती है। श्री रंगनाथ केन्द्रीय फिल्म प्रमाणन बोर्ड, त्रिवेन्द्रम के कार्यालय में अपर प्रादेशिक अधिकारी के पद पर भी कार्य करते रहेंगे।

[फाईल संख्या 106/5/85-एफ (आई)]

S.O. 4960.—In exercise of the powers conferred by sub-section (1) of section 8 of the Cine-Workers Welfare Fund Act, 1981 (33 of 1981), the Central Government hereby appoints Shri R. Renganath, Additional Regional Officer in the Central Board of Film Certification, Trivandrum as Welfare Commissioner with Headquarters at Trivandrum for the purposes of Cine-Workers Welfare Fund Act, 1981 and the Cine-Workers Welfare Cess Act, 1981, with immediate effect until further orders. Shri Renganath will also continue to work as Additional Regional Officer in the Office of Central Board of Film Certification, Trivandrum.

[File No. 106/5/85-F(1)]

का०आ० 4961.—मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 (1981 का 33) की धारा 8 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एच. चटर्जी, प्रादेशिक अधिकारी, केन्द्रीय फिल्म प्रमाणन बोर्ड, कलकत्ता को तत्काल से अगले आदेश तक मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 तथा मिनेमा कर्मकार कल्याण उपकर अधिनियम, 1981 के प्रयोजनों के लिए कलकत्ता में मुख्यालय के साथ कल्याण आयुक्त नियुक्त करती है। श्री चटर्जी केन्द्रीय फिल्म प्रमाणन बोर्ड, कलकत्ता के कार्यालय में प्रादेशिक अधिकारी के पद पर भी कार्य करते रहेंगे।

[फाईल संख्या 106/5/85-एफ (आई)]

S.O. 4961.—In exercise of the powers conferred by Sub-section (1) of section 8 of the Cine-Workers Welfare Fund Act, 1981 (33 of 1981), the Central Government hereby appoints Shri Bhasker Chatterjee, Regional Officer in the Central Board of Film Certification, Calcutta as Welfare Commissioner with Headquarters at Calcutta for the purposes of Cine-Workers Welfare Fund Act, 1981 and the Cine-Workers Welfare Cess Act, 1981, with immediate effect until further orders. Shri Chatterjee will also continue to work as Regional Officer in the Office or Central Board of Film Certification, Calcutta.

[File No. 106/5/85-F(1)]

का०आ० 4962.—मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 (1981 का 33) की धारा 8 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री बी.के. हेगडे, प्रादेशिक अधिकारी, केन्द्रीय फिल्म प्रमाणन बोर्ड, बंगलूर को तत्काल से अगले आदेश तक, मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 तथा मिनेमा कर्मकार कल्याण उपकर अधिनियम, 1981 के प्रयोजनों के लिए बंगलूर में मुख्यालय के साथ कल्याण आयुक्त नियुक्त करती है। श्री हेगडे केन्द्रीय फिल्म प्रमाणन बोर्ड, बंगलूर के कार्यालय में प्रादेशिक अधिकारी के पद पर भी कार्य करते रहेंगे।

[फाईल संख्या 106/5/85-एफ (आई)]

S.O. 4962.—In exercise of the powers conferred by Sub-section (1) of section 8 of the Cine-Workers Welfare Fund Act, 1981 (33 of 1981), the Central Government hereby appoints Shri B. K. Hegde, Regional Officer in the Central Board of Film Certification, Bangalore as Welfare Commissioner with Headquarters at Bangalore for the purposes

of Cine-Workers Welfare Fund Cess 1981 and the Cine-Workers Welfare Cess Act, 1981 with immediate effect until further orders. Shri Hegde will also continue to work as Regional Officer in the Office of Central Board of Film Certification, Bangalore.

[File No. 106/5/85-F(1)]

नई दिल्ली, 11 अक्टूबर, 1985

का०आ० 4963.—मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 (1981 का 33) की धारा 8 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री डी.वी. राव, अपर प्रादेशिक अधिकारी, केन्द्रीय फिल्म प्रमाणन बोर्ड, हैदराबाद को तत्काल से अगले आदेश तक मिनेमा कर्मकार कल्याण निधि अधिनियम, 1981 तथा मिनेमा कर्मकार कल्याण उपकर अधिनियम, 1981 के प्रयोजनों के लिए हैदराबाद में मुख्यालय के साथ कल्याण आयुक्त नियुक्त करती है। श्री राव केन्द्रीय फिल्म प्रमाणन बोर्ड, हैदराबाद के कार्यालय में अपर प्रादेशिक अधिकारी के पद पर भी कार्य करते रहेंगे।

[फाईल संख्या 106/5/85-एफ (आई)]

एस.सी० चावला, डेस्क अधिकारी

New Delhi, the 10th October, 1985

S.O. 4963.—In exercise of the powers conferred by Sub-section (1) of section 8 of the Cine-Workers Welfare Fund Act, 1981 (33 of 1981), the Central Government hereby appoints Shri D. V. Rao, Additional Regional Officer in the Central Board of Film Certification, Hyderabad as Welfare Commissioner with Headquarters at Hyderabad for the purposes of Cine-Workers Welfare Fund Act, 1981 and the Cine-Workers Welfare Fund Act 1981, with immediate effect until further orders. Shri Rao will also continue to work as Additional Regional Officer, in the Office of Central Board of Film Certification, Hyderabad.

[File No. 106/5/85-F(1)]

S. C. CHAWLA, Desk Officer

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 10th October, 1985

CORRIGENDUM

S.O. 4964.—In the Government of India, Ministry of Health and Family Welfare Notification No. X. 11014/1/84-DMS & PFA, dated the 14th January, 1985, published in the Gazette of India Part II, Section 3 (ii) dated 2nd February, 1985 under S.O. No. 416, in the English version the name "Dr. R. K. Chatterjee" may be corrected to read as "Dr. P. K. Chatterjee".

[No. X. 11014/1/84-DMS&PFA]

SMT. A KISHORE, Under Secy.

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली 15 अक्टूबर, 1985

का. आ. 4965.—स्थायी आदेश संख्या-627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने बीटा टेलीफोन केन्द्र में दिनांक 1-11-1985 में प्रमाणित दूर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-14/85 पी एच बी]

के. पी. जर्मा, महादेशक महानिदेशक (पी. एच. बी.)

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 15th October, 1985

S.O. 4965.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunication, hereby specifies 1-11-1985 as the date on which the Measured Rate System will be introduced by VITA Telephone Exchange, Maharashtra Circle.

[No. 5-14/85-PHB]

K. P. SHARMA, Asstt. Director General (PHB)

अम संजालय

नई दिल्ली, 4 अक्टूबर, 1985

कां०प्रा० 4966.—लोह अयस्क, मैंगनीज अयस्क और क्रोम अयस्क खान अम कल्याण निधि नियम, 1978 के नियम 3 के उप-नियम (2) के साथ पठित लोह अयस्क मैंगनीज अयस्क और क्रोम अयस्क खान अम कल्याण निधि अधिनियम, 1976 (1976 का 61) की धारा 5 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार अम संजालय की अधिसूचना संख्या कां०प्रा० 2415, तारीख 13 अगस्त 1981 के अधीन, केन्द्रीय सरकार, कर्नाटक राज्य के लिए सलाहकार समिति का गठन करती है जिसमें निम्नलिखित सदस्य होंगे अर्थात् :—

- | | |
|---|--------------------------|
| 1. अम मंत्री, कर्नाटक सरकार | अध्यक्ष |
| 2. कल्याण आयुक्त लोह अयस्क मैंगनीज अयस्क और क्रोम अयस्क खान अम कल्याण संगठन, बंगलूर | उपाध्यक्ष |
| 3. क्षेत्रीय अमायुक्त (केन्द्रीय), अम संजालय, 6/7, क्रिस्ट रोड, हाई ग्राउन्ड्स, बंगलूर 5600 | सदस्य (पदेन) |
| 4. श्री एस०प्रा० लक्ष्मणैया, सदस्य, विधान सभा, कर्नाटक विधान सभा, बिस्तर । | सदस्य |
| 5. श्री टी० नारायण, तकनीकी निदेशक, मैसूर मिनेरल्स लिमिटेड नं० 39, एम०जी० रोड, बंगलूर-560001. | नियोजकों के प्रतिनिधि |
| 6. श्री बी०बी० मूर्ति, कामिक प्रबंधक, व्यासनेरी आयरन ओर माइंस, मैसूर मिनेरल्स सेल्स प्राइवेट लिमिटेड, को-ऑपरेटिव कोलोनी, हास्पेट-583203, (बेल्लरी जिला) | |
| 7. श्री वसंत राव, जनरल सेक्रेटरी, सान्दूर मैंगनीज एंड कायरन ओर माइंस एम्पलाइज यूनियन (इंटर) देवगिरी-583112, बाया सान्दूर बेल्लरी जिला । | कर्मचारियों के प्रतिनिधि |
| 8. श्री एम. आदीवापा, जनरल सेक्रेटरी, दोनीमलाई आयरन ओर प्रोजेक्ट एम्पलाइज एसोसिएशन, दोनीमलाई टाउनशिप-583118 बेल्लरी जिला । | |
| 9. श्रीमति पिन्दु, तानुक्त विकास बोर्ड सदस्य निकमगलूर, कर्नाटक-577101. | महिला प्रतिनिधि |
| 10. कल्याण प्रशासक, लोह अयस्क मैंगनीज अयस्क क्रोम | सचिव |

अयस्क खान अम कल्याण

मंगल, कर्नाटक ।

2. लोह अयस्क मैंगनीज अयस्क क्रोम अयस्क खान अम कल्याण निधि नियम 1978 के नियम 16 के अनुसरण में, केन्द्रीय सरकार उक्त समिति का मुख्यालय बंगलूर निश्चित करती है ।

[मं.-यू.-19012/8/84-इल्यू. II]

आर. डी. मिश्रा, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 4th October, 1985

S.O. 4966.....In exercise of the powers conferred by section 5 of the Iron Ore Manganese Ore and Chrome Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976) read with sub-rule (2) of rule 3 of the Iron Ore Manganese Ore and Chrome Ore Mines Labour Welfare Fund Rules, 1978, and in super-session of the notification of the Government of India in the Ministry of Labour, No. S.O. 2415, dated the 13th August, 1981, the Central Government hereby constitutes an Advisory Committee for the State of Karnataka with the following as members, Namely:—

- | | |
|--|----------------------------|
| 1. Minister of Labour, Government of Karnataka. | Chairman |
| 2. Welfare Commissioner, Iron Ore Manganese Ore and Chrome Ore Mines Labour Welfare Organisation, Bangalore. | Vice-Chairman |
| 3. Regional Labour Commissioner (Central), Ministry of Labour, 6/7, Crescent Road, High Grounds, Bangalore-560001. | Member (ex-officio) |
| 4. Sri S.R. Lakshmalah, MLA, Birur, Karnataka Legislative Assembly | Member |
| 5. Shri T. Narayana, Technical Director, Mysore Minerals Ltd., No. 39, M.G. Road, Bangalore-560001. | Employers' representatives |
| 6. Shri B.V. Murthy, Personnel Manager, Vyasanteri Iron Ore Mines, M/s. Minerals Sales Pvt. Ltd., Co-operative Colony, Hospet-583203, (Bellary District) | |
| 7. Sri Vasanth Rao, General Secretary, Sandur Manganese & Iron Ore Mines Employees Union (INTUC), Deogiri-583112, Via Sandur, Bellary District. | Employees' representatives |
| 8. Sri M. Adivappa, General Secretary, Donimalai Iron Ore Project Employees Association, Donimalai, Township 583118 Bellary District. | |

9. Smt. Pinto,
Teluk Development Board Member,
Chikmagalur,
Karnataka-577101 Woman
representative
10. Welfare Administrator,
Iron Ore Manganese Ore Chrome Ore
Mines Labour Welfare Organisation,
Karnataka. Secretary

2. In pursuance of rule 16 of the Iron Ore Manganese Ore Chrome Ore Mines Labour Welfare Fund Rules, 1978, the Central Government hereby fixes Bangalore to be the Head-quarter of the said Committee.

[No. U-19012/8/84--W. II]
R.D. MISHRA, Under Secy.

नई दिल्ली, 4 अक्टूबर 1985

का. मा. 4967 :—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार भारत कोयला कोयला की आकाशकिनारी कोयला के प्रबंधन से संबंधित नियोजकों और उनके कर्मचारियों के बीच अनुसूच में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2 धनवाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-9-1985 को प्राप्त हुआ था।

New Delhi, the 4th October, 1985

S.O. 4967.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Akashkinaree Colliery of Messrs Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 30th September, 1985.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD**

Reference No. 98 of 1985

PRESENT :

Shri I. N. Sinha, Presiding Officer.

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Akashkinaree Colliery of M/s. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.
On behalf of the workmen—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad, the 23rd September, 1985

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(71)/85-D.III(A), dated, the 26th June, 1985.

SCHEDULE

"Whether the action of the management of Akashkinaree Colliery of M/s. Bharat Coking Coal Limited in dismissing Shri Shankar Singh, Permanent Miner/Loader from service is justified? If not, to what relief the workman is entitled?"

The case of the workman is that the concerned workman Shri Shankar Singh was a permanent Miner/Loader of Akashkinaree Colliery of M/s. B.C.C. Ltd. since long. The concerned workman was assaulted by CISF Jawan and had

received injuries and was unable to attend his duties. He approached before the management for granting him leave but his prayer for leave was not entertained. He remained under the treatment of Colliery doctor for sometime but when he did not get any relief he got his treatment by a doctor of the State dispensary. After recovering from illness the concerned workman reported to for his duty along with a medical certificate but instead of allowing him to resume his duties he was issued with a chargesheet dated 29/30-1-81 for alleged absence from duty without information and permission from 30-3-80 to 25-1-81. He was chargesheeted under Clause 17(i)(n) of the Model Standing Orders for continuous absence without permission and without satisfactory cause for more than 10 days. The concerned workman replied to the chargesheet denying the charges and explaining the absence satisfactorily. The management was not satisfied with the explanation submitted by the concerned workman and was asked to appear before the domestic enquiry being held by the Enquiry Officer. The management had appointed Shri U. P. Singh and Shri M. C. Yadav to conduct the enquiry but somehow or other they did not conduct the enquiry and finally Shri R. S. Pandey was appointed as Enquiry Officer who conducted the enquiry into the charges framed against the concerned workman. The charges against the concerned workman was not established before the Enquiry Officer. The Enquiry Officer gave a findings that the concerned workman was guilty of the charges of continuous absence without permission for more than 10 days but not of the charge of absence without satisfactory cause. Because there was reason to believe that the cause was satisfactory to a great extent. The Enquiry Officer held him guilty partly of the charges levelled against him. According to the Standing Orders if a workman remains absent from duty without any satisfactory cause then only it constitutes misconduct. In spite of the above finding of the Enquiry Officer the management issued him a letter of dismissal dated 16/20-6-84 under the signature of R. L. Malhotra, Superintendent of Mines. The said dismissal letter was illegal and against the principles of Standing Orders as well as void ab initio. The concerned workman represented before the management challenging the illegal order but without any effect. Thereafter an industrial dispute was raised by the union before the ALC(C), Dhanbad. The conciliation proceeding ended in failure and thereafter the Government of India, Ministry of Labour referred the dispute for adjudication before this Tribunal. The action of the management in dismissing the concerned workman was illegal, arbitrary, unjustified and against the principles of natural justice. The concerned workman was dismissed by an unauthorised person. The punishment of dismissal passed against the concerned workman was too harsh and disproportionate to the alleged offence.

The case of the management is that the concerned workman started absencing from duty without permission or information with effect from 30-3-80. When it was found that the concerned workman had absented from his duty for about 10 months he was issued with a chargesheet dated 29/30-1-81 asking him to explain for his unauthorised absence from his duties during the aforesaid period. The absence from duty for a period exceeding 10 days is a serious misconduct if the absence is unauthorised. The concerned workman had absented from his duty unauthorisedly without applying for leave for a period of about 10 months. There was no justification to condone his misconduct of such a nature. The concerned workman submitted his reply to the chargesheet admitting his guilty of misconduct for being absent for a period of about 10 months without permission or information but he gave some reasons explaining his absence. The concerned workman stated in his reply that he fell ill suddenly on 3-8-80 and remained under the treatment of a doctor. After his recovery his son fell ill who remained sick for a period of about 1 year and that his son died. He submitted a medical certificate dated 5-12-80 granted by a doctor of Dhanbad certifying that he was under the treatment of a doctor from 13-4-80 to 5-12-80 and was suffering from deafness. He was declared fit to resume his duties on 5-12-80. The concerned workman was seen in the colliery on 30-1-81 and was issued with the chargesheet. The concerned workman absented from his duty without permission or information. The medical certificate stating that he was sick from 13-4-80 to 5-12-80 is false and he has been

proposed to cover up the period of his absence. The period of absence of the concerned workman from 5-12-80 till 29-1-81 has not at all been explained satisfactorily as he was not under disability of any kind during the period. His absence from duty is a serious type of misconduct. The Departmental enquiry was conducted in presence of the concerned workman by Shri R.S. Pandey, Sr. P.O. of Akashkinaree Colliery in accordance with the principles of natural justice. The Enquiry Officer gave finding that the concerned workman committed misconduct of absence from duty without permission or authorised leave from 30-3-80 to 29-1-81, but the Enquiry Officer held that the concerned workman absented on account of sickness. The Enquiry Officer did not properly examine the reply of the concerned workman to the chargesheet and the medical certificate submitted by him. The entire proceeding, documents and the enquiry report were examined by the Personnel Manager of the area under whom the Enquiry Officer was working as a Senior Personnel Officer and it was observed that the Enquiry Officer failed to properly examine the clause of absence without justifiable cause. The Personnel Manager submitted his notesheet recommending for the dismissal of the concerned workman which was approved by the General Manager who was the competent authority to take a final decision on disciplinary matter. The concerned workman was dismissed from his service considering his previous misconduct. The action of the management is legal bonafide and in accordance with the provisions of the Standing Orders and as such it is submitted that the reference be made in favour of the management.

The learned Advocate representing the management had filed a petition praying for hearing the case on the preliminary point regarding the fairness or otherwise of the domestic enquiry and he also examined a witness. He examined the Enquiry Officer. After the examination and cross-examination of the management's witnesses, Shri D. Mukherjee representing the workman concerned submitted that he does not challenge the fairness or the propriety of the domestic enquiry and conceded that the domestic enquiry was fair and proper. Shri Mukherjee prayed that the case may be heard on merit and thereafter the case was heard on merit.

Two points arise for consideration in this case (1) whether the termination of the services of the concerned workman for his unauthorised absence is justified and secondly whether the punishment of dismissal inflicted upon him is harsh.

As I have already stated above that the fairness or otherwise of the domestic enquiry is not now in dispute, we have to see whether the materials adduced before the enquiry officer during the domestic enquiry were sufficient to prove the charges against the concerned workman. I will first refer to the Enquiry report Ext. M-13. The Enquiry Officer after dealing with the evidence before him held that the concerned workman is guilty of the charge levelled against him in so far as it relates to the period of his absence beyond 10 days without permission or leave. He further gave a finding that the concerned workman was not guilty of the same because he has submitted a medical certificate of the doctor of a State dispensary in which it is indicated that the concerned workman was under the treatment of a doctor from 13-4-80 to 5-12-80 during which period the concerned workman was advised to take complete rest. In the end he gave his finding that the concerned workman was guilty of the charge of continuous absence without permission for more than 10 days but not of the charge of absence without satisfactory cause because there was reason to believe that the cause of his absence was satisfactory to a great extent and accordingly the Enquiry Officer found the concerned workman partly guilty of the charges levelled against him. Ext. M-14 is the note of the Personnel Manager, Govindpur area which shows that he found the charge of unauthorised absence without permission proved beyond all reasonable doubts and that regarding the satisfactory cause the concerned workman submitted the medical certificate for the period from 13-4-80 to 5-12-80 but for the period beyond it no medical certificate or any proof has been produced by the chargesheeted person and as such the charge is proved beyond all reasonable doubt and is a fit case of

dismissal and he suggested to dismiss the concerned workman with immediate effect. Ext. M-15 dated 17/14-6-84 shows that the matter was placed before the competent authority and the competent authority approved the dismissal of the concerned workman with immediate effect as the charges were proved beyond doubt for his unauthorised absence with effect from 5-12-80 to 29-1-81 and as such the Personnel Manager advised the Superintendent of Akashkinaree Colliery to issue letter of dismissal to the concerned workman. Ext. M16 dated 16/20-6-84 is a letter of dismissal of the concerned workman. It will appear from the above discussion that the Enquiry Officer had found the explanation of absence of the concerned workman is satisfactory.

Admittedly, the concerned workman had absented without leave and without taking permission with effect from 30-3-80 to 29-1-81. It is stated in para 4 of his W.S. that he had prayed before the management for leave but the same was not allowed. The concerned workman has stated before the Enquiry Officer in his evidence that due to assault by the Security Force Jawans he became sick and was unable to move. He had further stated that when he came with the petition for taking leave the same was allowed and he proceeded without leave being granted to him. There has been no specific denial that the concerned workman had not approached the management with a prayer for leave when he had received injuries at the hands of the Security Force jawans. It appears that the Enquiry Officer had taken the said fact in consideration while giving a finding about the satisfactory explanation of the absence of the concerned workman. Thus the period of absence from 30-3-80 to 5-12-80 appears to be explained and accepted by the Enquiry Officer. The said fact also appear to have been accepted by the Personnel Manager in his note Ext. M-14. The concerned workman has been dismissed from service for having failed to explain his absence from duty from 5-12-80 to 29-1-81. It is a fact that the concerned workman has not been able to explain his absence for the said period but he had been able to satisfy the authorities about his absence for the previous period of his absence. In this view of the matter the punishment of dismissal from service for the period between 5-12-80 to 29-1-81 appears to be too harsh. It is quite possible that the concerned workman although not under any medical treatment was not feeling well to attend his duties and as such he had remained absent. In my opinion the punishment requires to be modified in view of the fact that the concerned workman has been able to explain the major portion of his absence from duty and that he has not been able to fully justify his absence from 5-12-80 to 29-1-81 although in his statement before the Enquiry Officer had stated that on recovery he reported for duty. As the concerned workman was ailing for a sufficient time of period, it is quite probable that he did not come to join soon after his recovery. However, in any case the punishment of dismissal inflicted upon him for his unauthorised absence for a short period appears to be harsh. In my opinion the ends of justice will be if the concerned workman is allowed to join his job but he should not be paid wages for the period of his absence. However, he will be entitled to get the benefit of continuity of service from the date of his dismissal to the date of his joining.

This is my Award.

I. N. SINHA, Presiding Officer.
[No. L-20012(71)/85-D.III(A)]
A.V.S. SARMA, Desk Officer

नई दिल्ली, 7 अक्टूबर 1985

का.सा. 4968. —कर्मचारी कल्याण निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) की धारा 17 की उप-धारा (क) के अंतर्गत कर्मचारी परिवार पेंशन स्कीम, 1971 से छूट प्राप्त करने के लिए मैसर्स गवर्नेट हिस्टीलेरी, कामारोडी, आन्ध्र प्रदेश ने आवेदन किया है।

श्री केन्द्रीय सरकार की राय में केन्द्रीय सरकार परिवार पेंशन स्कीम 1964 के अंतर्गत परिवार पेंशन के रूप में और कथित स्थापना के कर्मचारियों पर लागू लाभ कथित अधिनियम और कर्मचारी परिवार पेंशन स्कीम, 1971 के अंतर्गत दिए जाने वाले लाभों से कम अनुकूल नहीं है।

अब, इसलिए कथित अधिनियम का धारा 17 की उपधारा (1क) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और उनके तत्त्व उल्लिखित शर्तों पर केन्द्रीय सरकार द्वारा कर्मचारियों के पारिवारिक पेंशन स्कीम 1971 के सभी उपबंधों के प्रचलन से तीन वर्षों की अवधि के लिए छूट प्रदान करता है।

शर्तें:—

- (1) स्थापना की परिवार पेंशन स्कीम में किसी वस्तु के होते हुए भी यदि किसी सदस्य की मृत्यु पर देय पेंशन की राशि उसके कर्मचारी परिवार पेंशन स्कीम, 1971 का सदस्य होने की स्थिति में देय पेंशन की राशि से कम है तो नियोजन कर्मचारी परिवार पेंशन स्कीम, 1971 के अंतर्गत राष्ट्रीय परिवार पेंशन संवत्तर करेगा।
- (2) नियोजन ऐसे खाते बनाएगा, ऐसी विवरणियां प्रस्तुत करेगा और निरीक्षण के लिए ऐसी सुविधा प्रदान करेगा जो समय-समय पर केन्द्रीय सरकार निदेश दे।
- (3) कथित स्थापना की परिवार पेंशन स्कीम के प्रशासन में जिसमें लेखों का नैचार करना, लेखों और विवरणियों का प्रस्तुत करना, लेखों का अंतरण करना भी शामिल है, में सभी निहित खर्च नियोजन उभरेगा।
- (4) नियोजन नियमों की एक प्रति, जिसमें स्थापना के परिवार पेंशन स्कीम के सभी संशोधन यदि कोई हो, शामिल होंगे और जो केन्द्रीय सरकार द्वारा अनुमोदित हों, कर्मचारियों के बहुमत द्वारा समझी जाने वाली भाषा में उनकी मुख्य बातों को अनुवाद सहित स्थापना के नोटिस बोर्ड पर प्रदर्शित करेगा।
- (5) स्थापनाओं की परिवार पेंशन स्कीम के नियमों में कर्मचारियों के हितों के विरुद्ध प्रभाव डालने वाला कोई संशोधन बिना केन्द्रीय सरकार, भ्रम मंत्रालय और केन्द्रीय भविष्य निधि आयुक्त के अनुमोदन के नहीं किया जाएगा। केन्द्रीय सरकार और केन्द्रीय भविष्य निधि आयुक्त उसमें अनुमोदन देने से पूर्व कर्मचारियों को अपने विचार व्यक्त करने का उचित अवसर देंगे।

[संख्या एम-35012/4/85-एम. एस. (4)]

New Delhi, the 7th October, 1985

S.O. 4068.—Whereas the M/s. Government Distillery, Kamareddy (AP/1741) has applied for exemption from Employees' Family Pension Scheme, 1971, under Sub-Section (1A) of the Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).

And whereas, in the opinion of the Central Government the benefits in the nature of Family Pension under the Central Government Family Pension Scheme, 1964 are applicable to the employees of the said establishment are not less favourable than the benefits provided under the said Act, and the Employees' Family Pension Scheme, 1971;

Now, therefore, in exercise of the powers conferred by Sub-Section (1A) of Section 17 of the said Act, and subject to the conditions specified hereunder, the Central Government hereby exempts the said establishment from the operation of all provisions of the Employees' Family Pension Scheme, 1971 for a period of three years.

Conditions :

- (1) Notwithstanding anything contained in the Family Pension Scheme of the establishments if the amount of pension payable in respect of any member upon his death is less than the amount of Family Pension payable if he were a member of the Employee's Family Pension Scheme, 1971 the Employer shall sanction the Family Pension which is admissible under the Employees' Family Pension Scheme, 1971.

(2) The employer shall maintain such accounts, submit such returns and provide for such facility for inspection as the Central Government may from time to time direct

(3) All expenses involved in the administration of the Family Pension Scheme of the said establishment including maintenance of accounts, submission of accounts and return, transfer of accounts, shall be borne by the employer

(4) The employer shall display on the notice board of the establishment a copy of the rules incorporating therein all amendments, if any of the Family Pension Scheme of the said establishment as approved by the Central Government alongwith a translation of the salient features thereof language understood by the majority of the employees.

(5) No amendment of the rules of the Family Pension Scheme of the establishment adversely affecting the interests of the employee shall be made without the prior approval of the Central Government in the Ministry of Labour and the Central Provident Fund Commissioner. The Central Government and the Central Provident Fund Commissioner will, before giving their approval, give a reasonable opportunity to the employees to explain their point of view.

[No. S-35012/4/85-SS-II]

नई दिल्ली 8 अक्टूबर, 1985

का. भा. 4969— केन्द्रीय सरकार भविष्य कर्मचारी निधि स्कीम, 1952 के पैरा 4 के उप-पैरा (1) के अनुसरण में और भारत सरकार के भ्रम मंत्रालय की अधिसूचना संख्या का. भा. 923, दिनांक 15 फरवरी, 1982 को अधिकांश करते हुए दिल्ली संघ राज्य क्षेत्र के लिए एक क्षेत्रीय समिति गठित करता है, जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्

अध्यक्ष
1. सचिव (भ्रम),
दिल्ली प्रशासन,
15 राजपुर रोड, नई दिल्ली
सदस्य

केन्द्रीय सरकार द्वारा
नियुक्त

2. संयुक्त भ्रम आयुक्त,
दिल्ली प्रशासन, 15 राजपुर रोड,
नई दिल्ली।
3. संयुक्त उद्योग निदेशक, दिल्ली प्रशासन
कामोरी गेट, दिल्ली।

राज्य सरकार की सहाय-
रिषा पर केन्द्रीय सरकार
द्वारा नियुक्त दो व्यक्ति।

4. श्री चार. एन. सक्सेना,
आल इंडिया प्रार्थनाईजेशन आफ एम्प्लायर्स
एसोसिएशन, द्वारा; दिल्ली फील्ड ऑफिस
केडरेशन, 9-ए, कनाट प्लेस, नई दिल्ली।
5. श्री सी. एम. लाल,
आल इंडिया मैन्युफैक्चरर्स आर्गनाइजेशन
(सी. एम्. पी.) रोजनल बोर्ड
ए. आई. एम. ओ. हाउस, 1 ई/11 सरेवालान,
एक्सटेशन, नई दिल्ली 110055.

राज्य में नियोजकों के
संगठनों के परामर्श से
केन्द्रीय सरकार द्वारा
नियुक्त नियोजकों के
तीन प्रतिनिधि।

6. श्री बी. पी. गुप्ता
औद्योगिक संबंध मलाहकार, दिल्ली, पंजाब
और हरियाणा चेंबर आफ कामर्स एंड इंडस्ट्री,
पी. एम्. सी. हाउस, पापर प्लौर, एशियन
गेम्स बिल्डिंग, नई दिल्ली 110006

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| <p>7. श्री राज कुमार गुप्त,
मन्त्राचार्य,
भारतीय मजदूर संघ,
विल्डींग प्रवेश
5239 अजमेरी गेट,
दिल्ली-110006.</p> <p>8. श्री लक्ष्मी नारायण,
प्रधान इन्डियन मजदूर ट्रेड यूनियन कांसेस,
1-बी, मौलाना आज़ाद रोड,
दिल्ली-110011.</p> <p>9. श्री रमेश अग्रवाल,
सचिव, हिन्दू मजदूर संघ,
53/11, राजेन्द्र नगर,
नई दिल्ली-110060.</p> | <p>राज्य में कर्मचारियों के
गठनों के परामर्श से केन्द्रीय
मन्त्रालय द्वारा नियुक्त
कर्मचारियों के तीन प्रति-
निधि</p> | <p>6. Shri B.P. Gupta,
Industrial Relations Advisor,
Delhi, Punjab and Haryana
Chamber of Commerce and
Industry P.H.D. House,
Thapar Floor,
Asian Games Village,
New Delhi-6.</p> <p>7. Shri Raj Kumar Gupta,
General Secretary,
Bhartiya Mazdoor Sangh,
Delhi Pradesh,
5239, Ajmeri Gate,
Delhi-6.</p> | <p>Three representatives of
Employees appointed
by the Central Go-
vernment in consulta-
tion with the organi-
sations of employees
in the State.</p> |
| <p>10. श्री बी. एस. सेठी,
सचिव,
आय इंडिया आर्गनाइजेशन आफ
ममालायर्स फेडरेशन हाउस, नानमैन मार्ग,
नई दिल्ली.</p> | <p>केन्द्रीय व्यापार बोर्ड, कर्म-
चारी भविष्य निधि का
अशासकीय सदस्य जो
सामान्यतः दिल्ली में
निवास करता है।</p> | <p>8. Shri Laxmi Narain,
President,
Indian National Trade Union
Congress,
1-B, Maulana Azad Road,
Delhi-11.</p> <p>9. Shri Ramesh Agarwal,
Secretary,
Hind Mazdoor Sabha,
53/11, Rajinder Nagar,
New Delhi-110060.</p> | |
| <p>11. श्री वारिस अर. किदवाई,
सेक्ट्री-जनरल एंटीडिंग कॉन्फेरेन्स आफ
पब्लिक एंटरप्राइजेज,
ए/81, हिमालय हाउस,
कस्तूरबा गान्धी मार्ग,
नई दिल्ली।</p> | | <p>10. Shri B.M. Sethi,
Secretary,
All India Organisation of
Employees,
Federation House,
Tansen Marg,
New Delhi.</p> <p>11. Shri Waris R. Kidwai,
Secretary-General,
Standing Conference of Public
Enterprises,
A/81, Himalaya House,
Kesturba Gandhi Marg,
New Delhi.</p> | <p>Non-official members
of Central Board of
Trustees' Employees'
Provident Fund,
ordinarily resident
in Delhi.</p> |

[संख्या जी 20012/1/84-पी.एफ. 2 (एस.एस. 2)]

New Delhi, the 8th October 1985

S. O. 4969.—In pursuance of sub-paragraph (1) of paragraph 4 of the Employees Provident Funds Scheme, 1952 and in supersession of the notification of the Government of India in the Ministry of Labour No. S.O. 923, dated the 15th February, 1981, the Central Government hereby sets up a Regional Committee for the Union territory of Delhi consisting of the following persons, namely:—

CHAIRMAN

1. The Secretary (Labour),
Delhi Administration,
15, Rajpura Road,
New Delhi.

Appointed by the Central Government.

MEMBERS

2. Joint Labour Commissioner,
Delhi Administration,
15-Rajpura Road,
New Delhi.

Two persons appointed by the Central Government on the recommendation of the State Government.

3. Joint Director of Industries,
Delhi Administration,
Kashmeri Gate,
Delhi.

4. Shri R.N. Saxena,
All India Organisation of
Employers' Association,
C/o Delhi Factory Owners'
Federation,
9-A, Connaught Place,
New Delhi-110001.

Three representatives of employers appointed by the Central Government in Consultation with the organisations of employers in the States.

5. Shri C.M. Lal,
All India Manufacturers'
Organisation (DHFI)
Regional Board,
AIMO House,
1-B/11, Jhandewalan
Extension,
New Delhi-110055.

[No. V. 20012/1/84—PF. II]

A.K. BHATTARAI, Under Secretary.

दिल्ली, 11 अक्टूबर, 1985

का. प्रा. 4970:— राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खंड (घ) के अनुसूचन में, श्री अर. के. आनन्द के स्थान पर श्री ओ. पी. यादव, आयुक्त एवं सचिव, हिमाचल प्रदेश, को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है।

अतः अब, केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसूचन में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. प्रा. 545(प्र), दिनांक 25 जुलाई, 1985 में निम्नलिखित संशोधन करती है, अर्थात्—

उक्त अधिसूचना में, “(राज्य सरकार द्वारा धारा 4 के खंड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे सूच 13 के मामले की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात्:—

“श्री ओ. पी. यादव,
आयुक्त एवं सचिव,
हिमाचल प्रदेश सरकार,
श्रम और रोजगार विभाग,
शिमला.”

[संख्या यू-16012/8/85-एस. एस. -I]

New Delhi, the 11th October, 1985

S.O. 4970.—Whereas the State Government of Himachal Pradesh has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri O. P. Yadav, Commissioner-cum-Secretary to the Government of Himachal Pradesh to represent that State on the Employees' State Insurance Corporation, in place of Shri R. K. Anand;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1949 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 545 (E), dated the 25th July, 1985, namely :—

In the said notification, under the heading "(Nominated by the State Government under clause (d) of section 4)", for the entry against Serial Number 13, the following entry shall be substituted, namely :—

"Shri O. P. Yadav, Commissioner-cum-Secretary to the Government of Himachal Pradesh, Labour and Employment Department, Simla."

[No U-16012/85-SS. I]

का. आ. 4971 — राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम 1948, (1948 का 34) की धारा 4 के खंड (घ) के अनुसरण में, श्री यू.सी. मरानिया के स्थान पर पर श्री एम. पी. बेजबरा, विशेष सचिव, असम सरकार की कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है :

अतः, अब, केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के असम मंत्रालय की अधिमूर्चना संख्या कां.आ. 545(अ), दिनांक 25 जुलाई, 1985 में निम्नलिखित संशोधन करता है, अर्थात् —

उक्त अधिसूचना में, "(राज्य सरकार द्वारा धारा 4 के खंड (घ) के अधीन नामनिर्दिष्ट)" शीर्षक के नीचे [मूद्र 9 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्—

"श्री एम. पी. बेजबरा,
विशेष सचिव,
असम राज्य सरकार
अस एंव रोजगार विभाग,
दिसपुर।"

[संख्या यू-16012/7/85-एम. एस.-I]

ए० के० भट्टराई, प्रवर सचिव,

S.O. 4971.—Whereas the State Government of Assam has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri M.P. Bezbarua, Special Secretary to the Government of Assam to represent that State on the Employees' State Insurance Corporation, in place of Shri U. C. Sarania;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 545(E), dated the 25th July, 1985, namely :—

In the said notification, under the heading "(Nominated by the State Government under clause (d) of section 4)", for the entry against Serial Number 9, the following entry shall be substituted, namely :—

"Shri M. P. Bezbarua Special Secretary to the Govt. of Assam, Labour and Employment Department, Dispur."

[No. U-16012/7/85 SS. I]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 9 अक्टूबर, 1985

का.आ. 4972—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अंतर्गत भारत सरकार के असम और पुनर्वास मंत्रालय असम विभाग की अधिसूचना संख्या कां.आ. 1842, दिनांक 10 अप्रैल, 1985 द्वारा यूरेनियम उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 20 अप्रैल, 1985 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 20 अक्टूबर, 1985 से छः मास की ओर कालावधि के लिए लोक उपयोगी सेवा घोषित करता है।

[कां. संख्या एम-11017/10/85-डी-1]

New Delhi, the 9th October, 1985.

S.O. 4972.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 1842 dated the 10th April, 1985 the Uranium Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 20th April, 1985;

And whereas the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from 20th October, 1985.

[No. S-11017/10/85-D. I (A)]

का. आ. 4973—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के असम मंत्रालय की अधिमूर्चना संख्या का.आ. 1942, दिनांक 23 अप्रैल 1985 द्वारा किसी भी तेल क्षेत्र में सेवा को उक्त अधिनियम के प्रयोजनों के लिए 10 मई 1985 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 10 नवम्बर 1985 से छः मास की ओर कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/5/85-डी-1 (ए)]

S.O. 4973.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1942 dated the 23rd April, 1985 the service in any Oil field to be a public utility service for the purposes of the said Act, for a period of six months from the 10th May, 1985;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a pub-

lic utility service for the purpose of the said Act, for a further period of six months from the 10th November, 1985.

[No. S-11017/5/85-D.I(A)]

का. अ. 4947.—भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 1013, तारीख 16 अप्रैल, 1982 द्वारा गठित श्रम न्यायालय एर्नाकुलम में पदोन्नति अधिकार, का पद रिक्त हुआ है।

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री पी. आर. बालाचन्द्रन को 12 अप्रैल, 1985 (अपराह्न) से उक्त न्यायालय के पठासीन अधिकार, के रूप में नियुक्त करती है।

[सं. एस-11035/6/82-डी-1 (ए.)]

श. ह. सु. अध्यक्ष, अवर सचिव

S.O. 4974.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court, Ernakulam constituted by the notification of the Government of India in the Ministry of Labour No. S.O. 1633 dated the 16th April, 1982;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. R. Balachandran, as the Presiding Officer of the said Labour Court, with effect from the 12th April, 1985 (A.N.).

[No. S-11025/6/82-D.I(A)]

S.H.S. IYER, Under Secy.

नई दिल्ली, 9 अक्टूबर, 1985

अधिसूचना

का.अ. 4975.—आयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारत कोषण की लि. के लोयाबाद कोक प्लांट के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, तं. 2 धनबाद के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार की 1-1085 को प्राप्त हुआ था।

New Delhi, the 9th October, 1985

S.O. 4975.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Loyabad Coke Plant of Messrs. Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 1st October, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 40 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I. D. Act, 1947.

PARTIES : Employers in relation to the management of Loyabad Coke Plant of Messrs. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the employers : Shri R. S. Murthy, Advocate.

On behalf of the workmen : Shri J. P. Singh, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 24th September, 1985

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10 (1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(2)/85-D.III(A), dated, the 20th April, 1985.

SCHEDULE

"Whether the action of the management of Loyabad Coke Plant of Messrs Bharat Coking Coal Limited, P.O. Bansjora, District, Dhanbad in dismissing Sarvashri Raghurish Biswakarma, Fitter (Mechanical) and Usman Mian, Mason from service is justified ? If not, to what relief are the concerned workmen entitled ?"

The case of the workmen is that the two concerned workmen were issued with a charge sheet by the Deputy Chief Engineer, Loyabad Coke Plant. Both of them were charged as follows :—

"On 9-3-84 you were on duty in the Gel. Shift from 6.30 a.m. and you with other workers of Engineering Section of Loyabad Coke Plant were participating in agitation from 9 A.M. to 2 P.M. inside and outside of the Office of the Dy. C.E., Loyabad Coke Plant by leaving your working place for grant of Casual leave to 3 workers on the day of their hunger strike on 7-3-84 who were sat on illegal hunger strike in office premises on 7-3-84. At about 11 A.M. when Sri R. C. Ram, Personnel Officer, Loyabad Coke Plant, was sitting in the office room of Sri D. Kumar Manager, Loyabad Coke Plant for discussion on the issue with Dy. P.M. Sijua Area on Telephone, you deliberately wilfully and knowingly abused him with vulgar languages uttering words—SHALLA CHAMAR P.O. BANA HAI. SHALLA KO BETI KO CHODENGE, MATHER CHOD KO BAHAR NIKALO AUR JAN MAR DO. You repeatedly uttered these languages but R. C. Ram kept himself silent in fear of assault.

You also tried to assault Sri R. C. Ram by taking him out from the office room which could not materialise because of timely intervention of Mr. Kumar."

The concerned workman Shri Osman Mian was further charged as follows :—

"You further said that "YEHAN KE SABHI OFFICER BETI CHOD HAI."

Your above acts amount to be misconduct under part 10(1), 10(2) & 10(8) of the Standing Orders applicable to Loyabad Coke Plant.

The two concerned workmen submitted their explanation to the charge sheets issued to them. The explanation was found to be unsatisfactory and thereafter an order was made appointing Sri S. Kumar, Senior Personnel Officer, Sijua Area office as the Enquiry Officer. The Enquiry Officer with due notice to the concerned workmen held the enquiry on different dates. In the said domestic enquiry the witnesses for the management deposed at the beck and call of the management. Even then the management's witnesses hopelessly contradicted themselves and did not fully support the case of the management. The domestic enquiry was not fair and proper as the Enquiry Officer did not give proper opportunity to the concerned workmen to defend themselves. The concerned workmen submitted written note of argument for consideration of the Enquiry Officer but not of those points raised were considered in the enquiry report. The Enquiry Officer did not consider the pertinent

circumstances which appeared at the time of enquiry and did not draw proper conclusion arising out of those circumstances. The Enquiry Officer submitted his enquiry report under the influence of the management rendering the enquiry report as completely perverse. The alleged occurrence on the basis of which the chargesheets were issued is completely fabricated story in order to victimise the concerned workmen for their trade union activities. The union and their active members were simply present for grant of casual leave for those members of the union who had gone on hunger strike for non-fulfilment of the demands of the union. There was no disorderly behaviour on the part of the union and no attempt was made on behalf of the workmen either to assault or to abuse Shri R. C. Ram P.O. The chargesheet is concentrated on the question of personal abuse hurled by the concerned workmen on the Personnel Officer Shri R. C. Ram. It is alleged that the concerned workmen committed offence under clause 10(1), 10(2) and 10(8) of the Standing Orders of the management. Clause 10(1) of the Standing Orders refers to wilful insubordinate or disobedience of lawful or a reasonable order of the superior. The said allegation does not show that any order was issued by any authority which was disobeyed by the workmen. With regard to clause 10(2) of the Standing Orders the substance of the clause is that workmen should not resort to strike nor they should incite others to resort to strike. At the time of domestic enquiry no evidence was adduced to the effect that the concerned workmen along with others had struck work. The domestic enquiry reveals that some of the leaders of the workmen were called in by the management for negotiation and discussion of the demands and consequently one of the workers came to the office of the Manager along with others and they were told by the Manager to submit written applications for grant of casual leave and thereafter all of the workman went away in order to file the desired application. Thus the clause 10(2) of the Standing Orders has no application to the facts of the case. Clause 10(2) of the Standing order has no application to the effect of the case. Clause 10(2) of the standing orders refers to drunkenness, fighting riotous or disorderly or indecent behaviour in the factory premises. The concerned workmen were never drunken nor they were fighting nor they had indulged in any indecent behaviour. The evidence adduced to prove those allegations on behalf of the management cannot be accepted. The Enquiry Officer did not consider the evidence before him and held the concerned workmen guilty of all the charges. The disciplinary authority also accepted the report of the Enquiry Officer and passed on orders of dismissal against the concerned workmen. Shri R.C. Ram had filed a criminal case before the Chief Judicial Magistrate which numbered as complaint case No. 82/84 against the concerned workmen under sec. 500 I.P.C. But the concerned workmen were acquitted of the charges. Shri R.C. Ram had initiated proceeding under Section 107 of the Criminal Procedure Code against the concerned workmen which was also disposed of. On the above plea it is submitted on behalf of the workmen that dismissal of the concerned workmen by the management is not justified and that they are entitled for reinstatement with back wages and continuity of service.

The case of the management is that on receipt of a report from Shri R. C. Ram the two concerned workmen were issued with chargesheet dated 12-3-84 by the Dy Chief Engineer (C.O.) Loyabad Coke Plant. The allegations constituted misconduct on the part of the concerned workmen within the meaning of S.O. The two concerned workmen submitted their explanation. It was considered by the Dy Chief Engineer who is the head of the establishment and found the explanation unsatisfactory. He appointed Shri S. Kumar, Senior Personnel Officer Sijua Area as the Enquiry Officer. The Enquiry Officer after giving due notices to the concerned workmen held the enquiry. The witnesses of the management were examined in presence of the chargesheeted workmen and they were given full opportunity to cross-examine them. The concerned workmen were also given opportunity to make their own statement and to examine their own witnesses in defence. The enquiry was held in accordance with the principles of natural justice. All possible reasonable opportunities were given to the concerned workmen to defend themselves. The concerned workmen had also taken assistance of the co-

worker to help them in the enquiry. After completing the enquiry the E.O. submitted his report containing his findings holding that the charges framed against the concerned workmen have been established. The Dy. Chief Engineer (CO) Loyabad Coke Plant considered the enquiry report along with the proceeding of Enquiry and agreed with the findings of the Enquiry Officer. He came to a conclusion that considering the seriousness of the misconduct proved against the concerned workmen it was a fit case for dismissal. The General Manager (C.M.E. of Sijua Area also went through the file and agreed with the findings of the Enquiry Officer. The General Manager (C.M.E. agreed with the view expressed by the Dy. C.M.E. (CO) and accorded his approval for the dismissal of the concerned workmen. Accordingly the concerned workmen were dismissed from service with immediate effect by an order issued by the management on 5-9-84. The enquiry was held in accordance with the principles of natural justice and all opportunities were given to the concerned workmen to defend themselves. The action of the management in dismissing the concerned workmen is fully justified and as such the concerned workmen are not entitled to any relief. The management also submitted that as they are relying on the proceeding of the domestic enquiry for justifying the action taken by them, the Tribunal may decide in the first instance the validity and fairness of the domestic enquiry and in case it is held that the domestic enquiry was not proper and was vitiated then the management may be given opportunity to adduce evidence afresh on merits.

As the workmen had challenged the fairness and propriety of the domestic enquiry, the management adduced the evidence of MW-1 Shri S. Kumar, S. P.O. who had held the enquiry. After the evidence of the E.O., Shri J. P. Singh, learned Advocate appearing on behalf of the workmen submitted that he does not challenge the fairness and propriety of the domestic enquiry and that he concedes that the domestic enquiry was fair and proper. Accordingly it was held that the domestic enquiry held against the concerned workmen was fair and proper and the case was heard on merit.

The management had produced the entire enquiry proceeding which has been marked as Ext. M-1 to M-14 in this case. The Standing Order of Loyabad Coke Plant is marked as Ext. M-15. The workmen have filed Ext. W-1 which is the order of the criminal court in complaint case No. 82/84. As the domestic enquiry held against the concerned workmen was held to be fair and proper we have to confine ourselves to the materials which were before the E.O. in the domestic enquiry. It appears that the management had examined 7 witnesses before the Enquiry Officer and the concerned workmen also examined five witnesses in their defence. The first charge against the concerned workmen is under clause 10(1) of the Standing Order Ext.

M-15 which is in respect of wilful insubordination disobedience, whether alone or in combination with another or others, of any lawful or reasonable order of a superior. The Enquiry Officer in the enquiry report Ext. M-12 in his conclusion at page 6 has discussed the charge under Clause 10(1). It is stated that as per evidence of MWs, 1, 2, 3, 4, 5, and 6 the two concerned workmen were amongst the workers who were agitating talking in loud voices and were in high temper and the incidence disclosed that these two workers were ring leaders and they brought the crowd of about 50 to 60 workers to the office of the Dy. C.M.E. and created disorderly scene and these acts of their amount to wilful insubordination by them as they had left the work during the working hours without permission of superiors. I have gone through carefully into the evidence of all the management's witness. The evidence do not disclose that the concerned workmen were leaders of the agitating workmen or that they had organised the workmen for such agitation. It appears from the evidence that a group of workmen were agitating for grant of leave to the workmen who had gone on a strike on 7-3-84. The management's witness No. 1 Shri R. C. Ram had stated that on 9-3-84 at about 11.00 A.M. the workers belonging to the Engineering Association had assembled for grant of casual leave to the workmen who had gone on a

hunger strike on 7-3-84 and that they were pressing for grant of leave from the Dy. Chief Engineer. The management's witness No. 2 Shri D. Kumar has stated that the Area Office was contacted and the workmen were asked to keep quiet and thereafter all the workmen dispersed at about 12.30 P.M. It will thus appear that the concerned workmen and the other workmen had not gone on strike but had merely collected for the grant of casual leave to the workmen who had gone on hunger strike on 7-3-84. There is no evidence to the effect that any order was given by the superior officer to the concerned workmen which they disclosed. Thus strictly speaking the charge under clause 10(1) of the Standing Orders of wilful insubordination or disobedience of any lawful or a reasonable order of superior does not appear to have been established against the concerned workmen.

It will appear that the concerned workmen along with others were agitating for the grant of casual leave for the workmen who had gone on hunger strike. But there is no evidence that they had completely struck work on that date. They had for sometime left the work and had approached the management's officers for the grant of casual leave as the leave was not being granted by Shri R.C. Ram, Personnel Officer. The leave was actually granted when Shri Shahi an Officer from the Area Office came and granted the leave. Thus the concerned workmen and others had assembled only to put their grievance for the grant of casual leave before higher officers and these act of their cannot be said to constitute strike. There is no evidence that the concerned workmen or other workmen had not returned to their duties after the alleged agitation before the Officers. They had, no doubt, left their work for sometime in order to represent their view point, before the officers in agitated state. But that does not mean that they had gone on a strike. I hold, therefore, that here is no evidence before the Enquiry Officer to come to a conclusion that the concerned workmen along with others had gone on a strike or that the concerned workmen had incited the workmen to go on strike.

Clause 10(8) of the Standing Orders deals with drunkenness, fighting riotous disorderly or indecent behaviour on the factory premises. There is no evidence of drunkenness nor there is any allegation of drunkenness of the concerned workmen. There is evidence to the effect that one of the workman was pushed by some other workmen towards Shri R. C. Ram but the person being pushed was stopped and nobody was hurt. There is no definite evidence that the person pushed was one of the concerned workmen or that the concerned workmen had pushed the said person towards Shri R. C. Ram. There is absolutely no evidence to show that the concerned workmen had tried to assault Shri R. C. Ram or any other person. The only evidence which has come in the statement of some of the management's witnesses is that both the concerned workmen had filthily abused Shri R. C. Ram. MW-1 Shri R. C. Ram. MW-2 D. Kumar, MW-5 Shri A. K. Sinha, MW-7 Kilash Dusadh have all stated that both the concerned workmen had filthily abused Shri R. C. Ram MW-3 Shri D. Gupta, MW-4 Shri Chandrika Pd., and MW-6 Shri Man Singh have stated that abuses were being hurled on Shri R. C. Ram by the workmen but they have not specifically stated that they had seen or heard the two concerned workmen abusing Shri R. C. Ram. It will appear from the evidence adduced on behalf of the concerned workmen also that Shri R. C. Ram had protested before Shri Sahi that the workmen had abused him. Taking all these facts into consideration, there is truth in the allegation of the management that the concerned workmen had abused Shri R. C. Ram and it is difficult to disbelieve the management's witness on these facts as the management's witnesses had no grudge against the concerned workmen to falsely to implicate them with such allegation. Thus the charge under clause 10(8) of the Standing Orders regarding indecent behaviour by the concerned workmen on the factory premises appears to have been established which is a misconduct under clause 10(8) of the Standing Orders. I hold, therefore, that the management has been able to establish before the Enquiry Officer that the concerned workmen had abused Shri R. C. Ram and it was indecent behaviour on their part.

The next question which now arises is whether the action of the management in dismissing the concerned work-

men on the said charge of abusing Shri R. C. Ram is justified. Although the concerned workmen had by abusing Shri R. C. Ram indulged in indecent behaviour, I think the punishment of the dismissal from the services on that allegation alone is very severe and the punishment requires to be modified. In my opinion the ends of justice will be met by reinstating the concerned workmen to their services but they will not be allowed to draw any arrears of back wages for the period since their dismissal to the date of their joining the services. However, they will have the continuity of service for the purpose of other benefits.

In the result, the reference is answered accordingly. This is my award.

I. N. SINHA, Presiding Officer

Dr. 24-9-85.

[No. L-20012(2)/85-D. III(A)]

A. V. S. SARMA, Desk Officer

नई दिल्ली, 10 अक्टूबर, 1985

का. आ. 4976 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय जीवन बीमा निगम के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट की प्रकाशित करती है जो केन्द्रीय सरकार को 3 अक्टूबर 1985 को प्राप्त हुआ था।

New Delhi, the 10th October, 1985

S.O. 4976.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the Life Insurance Corporation of India and their workmen, which was received by the Central Government on the 3rd October, 1985.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, 1417, WRIGHT TOWN,
JABALPUR

Case No. CGIT/LC(R)/(29)/1984

PARTIES :

Employers in relation to the management of Life Insurance Corporation of India, Indore Division, 19, M.G. Road, Indore (M.P.) and their workman, Shri Ram Swaroop Sharma, Sub-staff, represented through the Indore Division, Insurance Employees' Association, 59, Bima Nagar, Indore (M.P.).

APPEARANCES :

For workman—Shri B. K. Pradhan, Advocate.

For management—Shri R. C. Chajed, Advocate.

INDUSTRY : Insurance DISTRICT : Indore (M.P.)

AWARD

Dated, September 14, 1985

This is a reference made by the Central Government under Section 10(1)(d) of the Industrial Disputes Act, 1947, vide Notification No. L-17012(17)/83-D.IV(A) dated 2nd May, 1984, for adjudication :—

“Whether the action of the management of Life Insurance Corporation of India, Indore Division, Indore in relation to their Branch Office, Ujjain in not correcting the date of birth of Shri Ram Swaroop Sharma, Sub-staff, as recorded in the Corporation's service from 6-1-1924 to 6-1-1934 is justified? If not, to what relief is the workman concerned entitled?”

2. Non controversial facts of the case are that the workman, Shri Ram Swaroop Sharma before retirement was employed as a Sub-staff in Branch office of Ujjain of L.I.C. of India. He was recruited on 1-12-1957 and his date of birth was recorded as 6-1-1924. Whereas according to the workman his correct date of birth is 6-1-1934. In pursuance of the L.I.C. of India (Verification of date of birth of employees) Instructions 1970, hereinafter referred to as the Instructions of 1970, the management by a letter dated 6-9-1976 asked the workman to produce School Certificate in support of his date of birth so as to verify the age recorded in his service record at the time of recruitment. The workman produced a Certificate from Saraswati H. S. Vidyalaya, Gwalior and horoscope showing the date of birth as 6-1-1934. The management refused to accept the date of birth of the workman as 6-1-1934 and retained the date of birth recorded as 6-1-1924.

3. The workman's case stated briefly is that the action of the management is illegal, improper and against the principles of natural justice.

4. The management besides raising legal issues of jurisdiction and estoppel pleaded that workman's date of birth was recorded in the Corporation's record as 6-1-1924 in view of his solemn declaration dated 29-7-1958 made in the application form duly signed by him. In the aforesaid application the employee had stated that he had already put in nine years service with the erstwhile H.H. Maharaja of Gwalior. He had left the service consequently due to the integration of State in or about 1948. He had also filled in nomination forms on 12-12-1958 for the purpose of Provident Fund and on 22-3-1975 to receive Gratuity in the year 1960 wherein he stated the age of his wife respectively as 25 and 32 years.

5. The workman was asked on 16-7-1968 to produce certificate in support of his age and the last date given for the purpose was 18-1-1971, but after repeated reminders the workman filed a School Certificate after five years in 1976 showing his date of birth as 6-1-1924. He also submitted a horoscope showing his date of birth as 8-1-1934. On enquiry the District Education Officer Gwalior informed that the said School namely Saraswati H. S. Vidyalaya was not a recognised school in 1949, the year for which the School Certificate purported to have been issued to him.

6. In view of the wide discrepancies of 10 years as to his age he was asked to give the age of his brothers. The information given was that the date of birth of the younger brothers, Shri Laxmi Narain Sharma and Ishwari Narain Awkashthi are respectively 25-10-1934 and 25-8-1938.

7. In the above circumstances his date of birth was admitted by the competent authority as 6-1-1924 and he was advised accordingly. The workman did not file an appeal to the competent authority within limitation hence the decision became final.

8. On the above pleadings of the parties the following issues were framed on 31-7-1985:—

ISSUES

1. Whether this Court has no jurisdiction to entertain the reference on the facts and circumstances of the case?
2. Whether the employee is estopped under law?
3. (a) Whether the action of the management of the L.I.C. of India, Indore Division, Indore, in relation their Branch Office Ujjain in not correcting the date of birth of Shri Ram Swaroop Sharma, Sub-staff as recorded in the Corporation's record from 6-1-1924 to 6-1-1934 is justified?
- (b) If not, to what relief is the workman concerned entitled?
4. Costs.

Reasons and my findings:

9. It is convenient to take up the main issue No. 3(a) and (b) first.

936 GI/85—7

Issue No. 3(a) and (b).—It has to be seen whether the above action of the management is justified. In this regard the workman, Shri Ram Swaroop Sharma (W.W/1) gave his own statement and relied on the duplicate School Certificate (Ex. W/1) and his Identity Card (Ex. W/2) alleged to have been issued at the time of his employment. During enquiry the workman had also relied on his horoscope which according to the management showed his date of birth as 8th January, 1934 and not 6th January. Perhaps for this discrepancy in the date of workman has not produced it before me and therefore it raises an adverse inference against the workman. The Identity Card Ex. W/2 is undated and it shows his age to be 25 years. Firstly it is undated so no reliance can be placed as to when it was issued. Secondly, in any case, the figure of age 25 years shown in this card is in different ink so no reliance can be placed on the same. Thirdly, the workman has stated that he had informed the Branch Manager his age to be 24 years (not 25 years) at the time of his employment. So now the only evidence in support of the workman's contention is the School Certificate (Ex. W/1). It has to be seen whether reliance can be placed on this certificate.

10. This Certificate (Ex. W/1) says that the workman, Shri Ram Swaroop, passed VII Class in 1949 and his date of birth is 6th January, 1934. It has been challenged on behalf of the management relying on Application Forms of L.I.C. (Ex. M/1) dated 9th July, 1958 wherein he had stated his date of birth as 6-1-1924 at the time of his appointment in service. In this form he had stated that formerly he worked with the H.H. Maharaja of Gwalior for nearly nine years as Orderly at the pay of Rs. 45 p.m. The reason for leaving the service was integration of the State. This record is of the original service therefore more reliable. This raises a very crucial point that if he had already served for nine years with the H.H. Maharaja of Gwalior as Orderly and his services were dispensed with as a result of integration of State in 1948, then the result comes to this that if year of birth is taken to be 1934 then in 1948 he was hardly a boy of 14 years and when he started his service with the H.H. Maharaja of Gwalior as Orderly nine years before his age must have been five years. This even belie the statement of workman when he says that he did not work as Orderly but as a Boy Scout in the Paltan of His Highness Maharaja of Gwalior for 4-5 years at the monthly salary of Rs. 8 p.m. Secondly if he had undertaken service as Orderly or even as a Boy Scout of Paltan nine years before 1948 how he could be a student in Saraswati H. S. Vidyalaya till 1949 and passed VII Class. In this connection Ex. 7 certificate of the principal given during enquiry shows that he was admitted in the school on 9-7-1939. This entry as the certificate shows is in the register of 1935 which raises doubt. In any case if he was admitted in the year 1939 then it is surprising that he passed VII Class in these 10 years in 1949. Thirdly the certificate of the District Education Officer (Ex. M/8) says that Saraswati Vidyalaya in the year 1949 was not a recognised school. Entry no. 5 of the first Schedule of Instructions of 1970 (Ex. M/5) only recognises a certificate from an educational institution recognised by the appropriate Government authority in which the employee studied last. The certificate Ex. M/8 shows that Saraswati Vidyalaya was not recognised in the relevant year hence the competent authority rightly rejected it. Rejection thus cannot be said to be unjustified. Secondly the horoscope produced as proof showed a different date of birth from the School Certificate itself. Therefore if it was not rejected it cannot be said to be unjustified.

11. There are other evidence and circumstances against the version of the workman and in favour of the management. Firstly in his form of nomination for the purpose of Provident Fund (Ex. M/2) filed on 12th December, 1953 he showed the age of his wife 25 years. Secondly similar forms were filed for the purpose of Gratuity. Ex. M/3 dated 22nd March, 1975 wherein he had stated the age of his wife to be 32 years. Thirdly vide Ex. M/4 he informed the management the date of birth of his younger brother Shri Laxmi Narain Sharma as 25-10-1934. The additional claim his date of birth to be 6-1-1934. The explanation for the first time given by the workman is that this brother was born in 8 months. Assuming this to be true even the difference in age of two brothers does not inspire confidence. Lastly

the evidence i.e. the School Certificate was produced nearly after five years of the last date given for the purpose which raises doubt against the version of the workman.

12. In view of this evidence any evidence created in the L.I.C. Form etc. at the late stage in life i.e. in 1961 (Ex M/14) and in 1963 (Ex M/15) can hardly be given any credence specially in view of the contradiction from the age given at the earliest opportunity as shown in the proposal form (Ex. M/1) and Ex. M/13 of his family members and specially his wife.

13. Learned Counsel for the workman has vehemently contended that the management has not given an opportunity before arriving at a decision. This is not correct. Ample opportunity for over five years was given to him to adduce some reliable evidence. He was given ample opportunity in departmental matters. Natural justice does not require to give opportunity at every stage of the proceedings in the file of the office. It has also been contended that no reasons are assigned and the management has not said that the School Certificate is forged. In departmental orders reasons at length are not required to be communicated to the workman. It is sufficient if the decision taken is communicated to him which has been done in the instant case. For the reasons stated above I am of the opinion that the action of the management was justified and the workman is not entitled to any relief.

14. Issue No. 1: This issue has not been pressed before me. In any case, this is an industrial dispute within the meaning of Sec. 2(k) of the I.D. Act and since it is a dispute between the management and the workmen and it is a matter connected with the dispute within the meaning of Clause (d) of Sec. 10. The Central Government is the appropriate authority, hence it cannot be said that this Tribunal has no jurisdiction in this case.

15. Issue No. 2 : This issue has also not been pressed before me by the management who raised it.

16. Issue No. 4 : In view of the above findings I make no order as to costs.

17. Consequently the reference is answered as follows:—

The management of Life Insurance Corporation of India, Indore Division, Indore, was justified in not correcting the date of birth of Shri Ram Swaroop Sharma, Sub-staff in Branch Office, Ujjain. His correct date of birth is 6-1-1924 and not 6-1-1934. No order as to costs.

Dated : 14-9-1985.

V. S. YADAV, Presiding Officer.

[No. L-17012(17)/83-D.IV(A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 10 अक्टूबर, 1985

पा. आ. 4977.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय स्टेट बैंक, अहमदाबाद के प्रबंधन से सम्बन्धित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार की 3-10-75 को प्राप्त हुआ था।

New Delhi, the 10th October, 1985

S.O. 4977.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad, as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India, Ahmedabad and their workman, which was received by the Central Government on the 3rd October, 1985.

BEFORE SHRI G. S. BAROI, INDUSTRIAL TRIBUNAL,
CENTRAL AT AHMEDABAD

Reference (ITC) No. 5 of 1980

Adjudication

BETWEEN

The State Bank of India,

L. H. O.,

Ahmedabad

AND

Shri Sandeep Chandulal Patwa employed under it.

In the matter of termination of the services of Shri Sandeep Chandulal Patwa, Cashier.

APPEARANCES :

Shri M. B. Phanse—for the State Bank of India.

Shri H. K. Rathod—for the workman concerned.

AWARD

This industrial dispute between the State Bank of India, Local Head Office, Ahmedabad, and Shri Sandeep Chandulal Patwa ("the workman concerned" to be brief) has been referred for adjudication under Sec. 10(1)(d) of the Industrial Disputes Act, 1947, vide Order No. L-12012/24/79-D.II. A dated 16th July, 1980 of the Government of India, Ministry of Labour, New Delhi. Under this Order, the Central Government had constituted an Industrial Tribunal with Shri R. C. Israni as the Presiding Officer and the dispute was referred to the said Tribunal. However, subsequently, by appropriate orders of the Government, this dispute has been transferred to this Tribunal. The dispute relates to the matter specified in the Schedule annexed to the Order of Reference and reads as under :—

"Whether the action of the management of State Bank of India, Local Head Office, Bhadra, Ahmedabad in terminating the services of Shri Sandeep Chandulal Patwa, Cashier, with effect from September 30, 1978, is justified? If not, to what relief is the workman concerned entitled?"

2. The workman concerned has filed a statement of claim at Ex. 2. His case is that he was appointed with the State Bank of India ("the Bank" to be brief) as a cashier from 1st February, 1973 and he worked with the Bank upto 30th September, 1973; that he had worked there in all for 242 days; that the Bank had also issued a certificate dated 1st October, 1973 stating that he had worked as a Cashier in a temporary capacity with the Bank from 1st February, 1973 to 30th September, 1973 (both days inclusive); that the Bank then arbitrarily dispensed with his services from 30th September, 1973 without assigning any reason whatsoever; that the Bank authorities, thereafter, were constantly giving hopes for reconsideration of his case and the workman concerned all along was under the impression that the Bank had referred his case to the higher authorities for reconsideration and therefore the workman concerned had waited for quite long time; that he had sent two reminders thereafter but ultimately sent a registered notice on 4th August, 1978 which was replied by the Bank by its letter dated 19th August, 1978; that thereafter the workman concerned set in motion the conciliation machinery and ultimately the present Reference in that behalf has been made to the Tribunal. It is the say of the workman concerned that his services have been terminated in flagrant violation of the standing orders and the terms of contract of service; that the Bank had no right to dispense with his services without giving a notice or making payment in lieu thereof and without following the mandatory provisions of the Act. It is also the case of the workman concerned that the service conditions of the Bank employees are governed by the pro-

visions of the Shashtry Desai Award and Para 522(4) of the said Award reads as under :—

"The services of any employee other than permanent employee or a probationer, may be terminated and he may leave services after 14 days notice. If such an employee leaves without such giving notice, he shall be liable for a week's pay".

It is his case that he was a permanent employee of the Bank in terms of the said Award and therefore without due notice his services could not have been terminated; that the Bank had recruited many new hands thereafter and hence the action of the Bank in terminating his services was illegal, invalid and inoperative. In view of all these, the workman concerned has proved that he should be reinstated on his original post with continuity of service and full back wages.

3. On behalf of the Bank, a written statement has been filed at Ex. 4. The Bank appears to have admitted that the workman concerned was working as a cashier with its main branch at Ahmedabad in a temporary capacity. It is also admitted by the Bank that he was with the Bank for 242 days during the period 1-2-1973 to 30-9-1973. It is however submitted by the Bank that the workman concerned had not been in temporary employment for a continuous period of 240 days in twelve calendar months as contemplated under Sec. 25B of the Industrial Disputes Act, 1947 ("the Act" to be brief) and therefore the workman concerned cannot be deemed to be in continuous service for a period of one year and he would therefore not be eligible to get the benefits as claimed. According to the Bank, the workman concerned was initially appointed as a temporary cashier at Ahmedabad main branch for a period of one month i.e. from 1st February 1973 to 28th February, 1973. Thereafter, his services were extended from time to time till 30th September, 1973 as required by the Bank. The intimation of his last extension was given to Shri S. C. Patwa, the workman concerned, on 30th August, 1973 wherein it was specifically mentioned that his temporary services were extended upto the 30th September 1973 and that his services will stand terminated as at the close of business on the said date. Accordingly, his employment automatically came to an end on 30th September, 1973. It is admitted by the Bank that the workman concerned had for the first time approached the Bank vide his application dated 4th August, 1978 which was replied by the Bank by its letter dated 19th August, 1978 wherein he was advised that he was not eligible for absorption in the Bank service as he had not completed one year's service as per the provisions of the Act. It is further submitted that the workman concerned was not in continuous service for a period of one year as contemplated in Sec. 25B of the Act and as such he was not entitled to the benefits available under Sec. 25F. It is also the case of the Bank that as the workman concerned was advised in his last extension order dated 30th August, 1973 that his employment will come to an end as at the close of the business on 30th September, 1973, it was not necessary to give him any notice or to pay him in lieu thereof as his employment came to an end by efflux of time. According to the Bank, the contention of the workman concerned that it was obligatory on the part of the Bank to give him notice before terminating his services in terms of Para 522(4) of the Sastry Award is not correct and that as per the provisions of the above said paragraph it was not obligatory on the Bank to give any notice as alleged. It is further contended that the workman concerned had approached the authorities after a lapse of nearly 7 years from the date his service came to an end and therefore it suffers from delay and laches and the demand made by him should therefore be rejected.

4. In support of his demand, the workman concerned has examined himself at Ex. 14. He has stated in his deposition that in February, 1973 he joined the Bank; that he was not taken up in anybody's leave vacancy; that he was given an appointment letter in writing which was only for one month; that in September, 1973 his services were terminated; that he served the Bank continuously from 1st February to 30th September, 1973; that he was not given any reason for termination of his services; that he had made a demand to make him permanent and therefore his services were

terminated. Before termination of his services, he was not given any notice. He was also not given any pay in lieu of notice. He has not been paid any retrenchment compensation also. He has further stated that initially he was given an appointment letter and thereafter he was orally told that his services have been continued for the subsequent months. According to him, his service record was good. He then stated that before his services were terminated, no enquiry was held; that the Bank had recruited many persons after termination of his services; that after the termination, he had seen the Bank authorities in that behalf and he was orally told that he would be taken up when the Bank required his services. He has also stated that after termination of his services he has been able to secure a job with the Family Planning Department with effect from 4-10-1979. As against this, the Bank has examined one Shailendra Motilal, Ex. 26. This witness has worked in the Personnel Department of the Bank. He has deposed that the workman concerned was taken up as a cashier on temporary basis in pursuance of the interview taken on 14-9-1972; that on 14-2-73 N.I.B.M. test was taken wherein the workman concerned had appeared but he had failed. Ex. 24 is the list with regard to the same. In the year 1981 it was decided that those who have completed 240 days in a year should be asked to appear at the NIBM test. Such a test was decided to be held on 3-10-1982 and the workman concerned was informed by Registered Post to appear at the said test but the said registered letter was returned as refused and the workman concerned had not appeared at the said test. The witness then stated that Ex. 23 shows the number of working days between 1-2-1973 to 30-9-1973 which shows that the workman concerned had worked in all for 242 days out of which 35 were Sundays and 10 holidays. Thus, the actual days worked were 197. In his cross-examination the witness has admitted that the Bank had paid to the workman concerned wages for 242 days. He has also stated that the services of the workman concerned were terminated because his appointment was for a particular period only and on the completion thereof he was terminated. The witness has also denied that before terminating the services the workman concerned was not given any notice. He was given a notice in the extension order itself. He admitted that after the service of the workman concerned were terminated the Bank had recruited other cashiers.

5. Shri H. K. Rathod, the learned advocate appearing for the workman concerned very strenuously argued that the workman concerned had already completed 240 days in the Bank and as per the provisions of the Act his services could not have been terminated without following the procedure contained in Sec. 25F of the Act. In the instant case, the Bank having not followed the prescribed procedure. The termination order itself is bad in law and inoperative and the workman concerned should be reinstated on his original post with continuity of service and full back wages. Shri Rathod, during the course of his arguments invited my attention to Ex. 23 and its annexure which shows that between the period from 1st February, 73 to 30th September, 73, the total number of days worked by him were 242. Shri Rathod thus argued that the workman concerned had worked for more than 240 days as required under the provisions of the Act and the Bank, therefore, could not have terminated his services without following the procedure laid down in Sec. 25F of the Act. Shri Rathod also argued that admittedly in this case the workman concerned has not been given any notice or pay in lieu thereof nor any compensation as provided in Sec. 25F and therefore the order terminating the services of the workman concerned was void. Shri Rathod also drew my attention to several decisions of the Hon'ble Supreme Court on the question of termination of service amounting to retrenchment. As against this, it was argued by Shri M. B. Phanse, the learned advocate for the Bank, that it would not be correct to say that the workman concerned had worked for 240 days in the Bank. Shri Phanse contended that in order to attract the provisions of Sec. 25F, a workman must complete 240 days' actual working. Shri Phanse then invited my attention to the provisions of Sec. 25F and argued that sub-section (1) thereof deals with continuous service while sub-section (2) lays down the method of calculating the days for which a workman could be said to have actually worked. According to Shri Phanse, out of 242 days of employment of the workman

concerned with the Bank, 35 were Sundays and 10 days public holidays which should be excluded as per the provisions of Sec. 25B, leaving only 197 days of actual working. According to Shri Phanse, the workman concerned could, therefore, be said to have actually worked only for 197 days with the Bank and it cannot be said that the workman concerned has worked in the Bank continuously for one year as provided under Sec. 25B, so as to attract the provisions of Sec. 25F. Shri Phanse, in support of his argument that for the calculation of 240 days, Sundays and public holidays should be excluded, has relied on a decision of the Madras High Court in Writ petition Nos. 598 and 599 of 1975 (to which we shall refer to later).

6. Considering the facts and the arguments in the present case, the two sections which are relevant are Sections 25B and 25F of the Act and it would be worthwhile reproducing them in toto "25B for the purposes of this Chapter—

- (1) a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal or a lock-out or a cessation of work which is not due to any fault on the part of the workman;
- (2) where a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service under an employer—
 - (a) for a period of one year if the workman, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—
 - (i) one hundred and ninety days in the case of a workman employed below ground in a mine; and
 - (ii) two hundred and forty days, in any other case;
 - (b) for a period of six months, if the workman, during a period of six calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—
 - (i) ninety-five days, in the case of a workman employed below ground in a mine; and
 - (ii) one hundred and twenty days, in any other case.

Explanation—For the purposes of clause (2), the number of days on which a workman has actually worked under an employer shall include the days on which—

- (i) he has been laid off under an agreement or as permitted by standing orders made under the Industrial Employment (Standing Orders) Act, 1946, or under this Act or under this Act or under any other law applicable to the industrial establishment;
- (ii) he has been on leave with full wages, earned in the previous years;
- (iii) he has been absent due to temporary disablement caused by accident arising out of and in the course of his employment; and
- (iv) in case of a female, she has been on maternity leave; so however that the total period of such maternity leave does not exceed twelve weeks".

"25F. No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by the employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment

and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice :

Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination of service :

- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government by notification in the Official Gazette".

We shall have first to consider the provisions of Sec. 25F. This section lays down certain conditions precedent to retrenchment of a workman. The word "retrenchment" has been defined in Sec. 2(oo) and it covers every case of termination by the employer of the service of a workman for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action and except in certain cases which are specifically mentioned therein. Shri Rathod for the workman concerned drew my attention to several decisions of the Hon'ble Supreme Court with regard to termination of the service of a workman amounting to retrenchment. Shri Rathod, in this connection, mainly relied on the decisions reported in 1976—I, L.L.J. 478, 1980—II, L.L.J., 72, A.I.R. 1983 S.C. 1320 and A.I.R. 1981 S.C. 1253. Reading the above decisions, it is very clear that every case of termination of service of a workman by an act of the employer except those not expressly included in Sec. 25F or which are covered by the excepted categories mentioned in Sec. 2(oo), would amount to "retrenchment". The termination of the service in the present case, admittedly, does not fall within any of the excepted categories. Therefore, the termination of the service of the workman concerned would definitely be "retrenchment" and when it is "retrenchment" the requirements of Sec. 25F have to be complied with and if they are not complied with, the termination would be void. It will, therefore, have to be seen whether in the present case these requirements have been complied with. But it is very important to note here that every case of retrenchment will not be hit by the provisions of Sec. 25F inasmuch as in order to apply those provisions the workman who has been retrenched should have been in continuous service for not less than one year under the employer. Now, in regard to what would be "continuous service for not less than one year", we shall have to refer to Sec. 25B. Clause (1) of Sec. 25B states as to when a workman shall be said to be in continuous service for a period. However, even if the workman is not in continuous service for a period of one year within the meaning of clause (1), clause (2)(a) says that he shall be deemed to be in continuous service for a period of one year if he, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than 240 days. Then, Explanation to clause (2) mentions that for the purposes of clause (2) the number of days on which a workman has actually worked under an employer shall include the days of four types as covered in (i) to (iv) therein. In the present case, there is no dispute that the workman concerned was with the Bank for in all 242 days. But the crucial issue is whether he can be said to have "actually-worked" for these 242 days having regard to the provisions of Sec. 25B. Shri Phanse, the learned Advocate for the Bank, strenuously argued that for calculation of 240 days for the purpose, Sundays and public holidays should be excluded and if that is done the workman concerned cannot be said to have actually worked for 240 days. In support of his argument, Shri Phanse relied on a decision of the Madras High Court in Writ Petition Nos. 298 and 599 of 1975 in which Their Lordships of the Madras High Court were pleased to observe as under :—

"One other point that arises for consideration in these writ petitions relates to the actual meaning to be given to the words "actually worked under the employer for not less than 240 days". The learned

counsel for the petitioners would contend that in calculating the 240 days, the Saturdays and Sundays and paid festival holidays would have to be included. On the other hand, the learned counsel for the management contended that the words "actually worked" in Sec. 25-B(2) clearly imply and show that Saturdays and Sundays and even paid holidays should not be included in calculating the 240 days. We are in entire agreement with this contention of the learned counsel for the management. The words "actually worked" would not include even holidays for which full wages are paid. The words "days worked" itself would normally mean days actually worked. The legislature as if it were to give emphasis, has also added the words "actually". There could therefore be no scope for argument that paid holidays are to be included in "actually worked" days. The explanation to Sec. 25-B has included in this "actually worked days" certain "deemed actual working days". Only these days which are provided in the explanation could be included in calculating the 240 days in addition to the actual working days and we cannot enlarge the meaning of the words "actually worked" beyond what is contained in the explanation. The number of working days worked by a workman in a completed year of service thus will have to be worked out with reference to the actual working days if it is a case falling under clause (2)."

Thus, the important question which has arisen in this case is whether for the purposes of computing 240 days Sundays and holidays should be taken into consideration or not. As per the Hon'ble Madras High Court's decision, Sundays and holidays are to be excluded. If that view is accepted and applied to the present case, the workman concerned cannot be said to have completed 240 days' actual working and therefore he cannot be said to be in continuous service for a period of one year, which in turn would mean that the provisions of Sec. 25F would not apply in the present case and as such there would be no question of giving any notice or payment of wages in lieu of notice or any compensation and ultimately the action of termination of the services of the workman concerned would not be bad.

7. It is true that Their Lordships of the Madras High Court, in the above referred decision, were clearly of the view that the legislature as if it were to give emphasis, has also added the words "actually" and there could therefore be no scope for argument that paid holidays are to be included in the actually worked days. According to Their Lordships of the Madras High Court, the Explanation to Sec. 25B has included in this "actually worked days" certain "deemed actual working days" and only those days which are provided in the explanation could be included in calculating the 240 days in addition to the actual working days and the meaning of the words "actually worked" cannot be enlarged beyond what is contained in the explanation. I have given my anxious thought to the decision aforesaid and with great respect, I am not in a position to subscribe to the views expressed by Their Lordships of the Hon'ble Madras High Court, for the reason, firstly that while considering a social welfare legislation the Court should adopt a beneficent rule of construction and if a section is capable of two constructions, that construction should be preferred which fulfils the policy of the Act, and is more beneficial to the persons in whose interest the Act has been passed. Further, the principle of giving beneficial interpretation to a provision arises when two reasonable interpretations of a provision are possible and one of which is advantageous to the workman and the other is not. In such a case, the court should adopt one which favours the weaker section for whose benefit the enactment has been passed. In the instant case, the question turns on inclusion or exclusion of Sundays and holidays for the purpose of calculating 240 days. Now, if the construction put up by Their Lordships of the Madras High Court is adopted, I am afraid, many of the workmen working in the various industries would be affected adversely. Again, if we read the Explanation to clause (2) of Sec. 25B, it says "the number of days on which a workman has actually worked under an employer shall include the days...". The words "shall include" would mean that the days falling under the four categories under (i) to (iv) would not be the only days which should be treated as "actually worked" days (though the workman would not have

worked on those days) but it would suggest that some other types of days not provided therein would also be so treated. "Craies on Statute Law" Sixth Edition, as far as this aspect is concerned, has stated on Page 212:—

"There are two forms of interpretation clause. In one, where the word defined is declared to "mean" so and so, the definition is explanatory and prima facie restrictive. In the other, where the word defined is declared to "include" so and so, the definition is extensive."

Even the Learned Author N. S. Bindra in his Book "The Interpretation of Statutes" while dealing with this aspect, has stated that when in an interpretation clause, it is stated that a certain term "includes" so and so, it implies that the term retained its ordinary meaning whatever it may mean. It has only an extended force and does not limit the meaning of the terms to the substance of the definition. I am inclined to agree with the above views and accordingly in my opinion also what the Explanation says under items (i) to (iv) is not restrictive. My view is fortified by item (ii) of the Explanation which states that the days on which a workman has been on leave with full wages, earned in the previous year are to be included in calculating the actually worked days. Again, if we look to Sec. 18 of the Bombay Shops and Establishments Act (which Act applied to the Bank at the relevant time) it lays down that every shop and commercial establishment shall remain closed on one day of the week. Thus, even a workman who is willing to work cannot work and the employer also cannot give him work on one day of a week. Now, if this non-working day which is a statutory requirement is to be excluded for the purpose of arriving at "two hundred and forty days" mentioned in item (ii) of sub-clause (a) of clause (2) of Sec. 25B, I do not think it is in any way justified. It is more so because while making computation about the earned leave under the provisions of the Bombay Shops and Establishments Act, Sundays are included in the days worked. In any event, in the instant case, as we have seen, two interpretations are possible and as stated above when two interpretations are possible, the one which favours the persons in whose interest the Act has been passed should be preferred. Therefore, in my opinion, Sundays and other statutory holidays should be included for the purpose of calculating 240 days envisaged in Sec. 25B. When this is done, the workman concerned herein would be said to have actually worked under the employer viz., the Bank for not less than 240 days. Consequently he will be deemed to be in continuous service under the Bank for a period of one year. If that is so, under Sec. 25F the workman concerned should firstly have been given one month's notice in writing indicating the reasons for retrenchment or wages for one month in lieu of the notice, and secondly he should have been paid retrenchment compensation as contemplated under that section. Both these conditions should be fulfilled in order to make it a valid retrenchment. In the instant case, while it is contended on behalf of the Bank that Ex. 612 should be treated as the notice, it is admitted by the Bank that no retrenchment compensation has been paid or even been offered. The result would be that the action of terminating the services of the workman concerned would amount to retrenchment and the retrenchment effected herein is bad in law and hence inoperative inasmuch as it is in violation of the provisions of Sec. 25F of the Industrial Disputes Act, 1947.

8. As held above, the action of the Bank in terminating the services of the workman concerned is bad and inoperative. The question to be considered then is what relief the workman concerned is entitled to. Now, the order of termination being null and void because of the non-compliance of the provisions of Sec. 25F, the normal relief which should follow would be one of reinstatement with full back wages because as held by the Hon'ble Supreme Court in *Sarendra Kumar Verma and others Vs. Central Government Industrial Tribunal*, New Delhi, reported in 1981-1, L.J. 386, plain common sense dictates that the removal of an order terminating the services of a workman must ordinarily lead to the reinstatement of the workman. At the same time, it is further held therein by the Hon'ble Supreme Court that there may be exceptional circumstances which make it impossible or wholly inequitable vis-a-vis the employer and the workman to direct reinstatement with full back wages. For instance, if the industry might have closed down or might be in severe financial doldrums the workman concerned might have to

cured better or other employment elsewhere and so on. In such situation there is a vestige of discretion left in the Court to make consequential orders. This question of reinstatement and/or payment of compensation has been considered by various High Courts and the Supreme Court too and the principle laid down is that even if the order of termination is in violation of the provisions of Sec. 25F, it is not necessary in all cases to order reinstatement. In the case of Shankar Krishna Nikam Vs. M/s. Bhide and Sons Pvt. Ltd. and another the Hon'ble Bombay High Court in Writ Petition Nos. 2567 and 1982 had held that mere non-compliance with Section 25F in non-payment of retrenchment compensation itself should not result in the reinstatement of the employee. Thus, it appears that reinstatement with payment of back wages is not a must in all cases. It was held by the Hon'ble Madras High Court in Coimbatore Pioneer 'B' Mills Ltd., Vs. Labour Court, Coimbatore and others (writ Appeals Nos. 145 and 146 of 1975) that the Labour Court (or the Industrial Tribunal) would have the discretion either to order reinstatement or direct payment of retrenchment compensation in lieu of reinstatement even though the employer had not fulfilled the pre-conditions laid down in Sec. 25(b) of the Act and the impugned retrenchment order is invalid. This decision of the Madras High Court was also confirmed by the Hon'ble Supreme Court in Civil Appeal No. 3156 of 1979 wherein Their Lordships of the Supreme Court though raised the quantum of compensation a little, at the same time confirmed refusal of reinstatement.

9. From the above stated decisions, it clearly appears that the tribunal has a discretion, on the facts and circumstances of a case, either to grant reinstatement or to grant compensation in lieu of reinstatement, or both. Considering now the facts of the present case, it has come in evidence that the workman concerned raised an industrial dispute, for the first time, on 4-8-1979 and a reference was made on 16-7-1980. The date of termination of the workman concerned is 1-10-1973 which means that the dispute was raised after nearly 5 years or so. It has also to be borne in mind that he has been in gainful employment in a Government department since 4-10-1979. It is also in evidence that though he has alleged that he has passed the MIBM test, he has not been able to prove it. On the contrary, the list of successful candidates produced by the Bank shows that the workman concerned has not been declared successful at the said test. It has also to be noted that today the Bank cannot take any temporary hand as per the rules and regulations prevailing and the Bank also cannot employ a person who has not passed the MIBM test. It is also to be noted that in case his reinstatement is ordered he will have to be placed on his original post with continuity of service which would again create several questions of seniority, etc. As against all these, the workman concerned has been gainfully employed in Government service for the last about 6 years and he is well settled in his job. In my opinion, therefore, looking to the circumstances obtaining in this case, it would not be advisable to direct reinstatement of the workman concerned, and the ends of justice would be met if some suitable compensation in lieu thereof is awarded.

10. In regard to the question of compensation, Shri M. B. Phanse, the learned advocate appearing on behalf of the Bank, had invited my attention to the case of Jai Bhagwan Vs. Management of Ambala Central Co-operative Bank Ltd. and another decided by the Hon'ble Supreme Court (AIR 1984 SC 286). It was a case where the services of a workman were terminated in total breach of the principles of natural justice. There was a delay in raising the industrial dispute by the workman concerned. The Hon'ble Supreme Court after considering the facts of that case observed:—

"Having regard to the circumstances that the workman raised an Industrial dispute after considerable delay without doing anything in the meanwhile to question the termination of his services, we do not think that we will be justified in awarding full back wages. We think that award of half the back wages from the date of termination of service until today and full back wages from this day until reinstatement will meet the ends of justice."

Of course, on the facts and circumstances of that case, the Hon'ble Supreme Court had directed reinstatement with half the back wages as above. But the point to be noted from the said decision of the Hon'ble Supreme Court is that where

the workman concerned has raised an industrial dispute after considerable delay, awarding full back wages would not be justified. In the instant case, the services of the workman concerned were terminated at the close of the business on 30th September, 1973 and the first time he approached the Bank in connection with his termination was on 4th August, 1978. It is thus very clear that for about 5 years he had not done anything to question the termination of his services. Again, as stated hereinbefore, he has, admittedly, secured a Government job with effect from 4-10-1979 and has been working there ever since that date. The workman concerned has also filed some certificates as to the wages received by him there. These certificates show that he received Rs. 3,516.75 for the period 4th October, 79 to 31st March, 80, Rs. 7,705.16 for the period 1st April, 80 to 31st March, 81, Rs. 9,220.60 for the period 1st April, 81 to 31st March, 82, Rs. 10,368.70 for the period 1st April, 82 to 31st March, 83, and so on. These figures show that from 4th October, 1979 onwards the workman concerned earned fairly well looking to his clerical job. Thus, considering all the various circumstances of this case, I would award to the workman concerned by way of compensation in lieu of reinstatement half the wages which he would have drawn had he not been terminated, from the date of his termination till the date he got gainful employment viz. till 3-10-1979. Of course, normally compensation of this nature is given from the date of termination till the date of the Award. However, in the instant case, I am advisedly directing grant of half the wages as compensation from the date of termination till the date he secured gainful employment, viz. 3-10-1979. This is because generally the wages which a workman has earned out of his gainful employment are deducted from the total amount of compensation granted but if that formula is adopted in the present case, the workman concerned is likely to be at a disadvantage inasmuch as he has earned fairly good wages in his new employment. It is because of this reason that directions are given as above.

11. For the reasons stated above, it is directed that the Bank shall pay to the workman concerned by way of compensation, in lieu of reinstatement, half the wages which he would have earned had he not been terminated, from the date of his termination to the date he got gainful employment, viz. from 1-10-1973 to 3-10-1979. The Bank shall also pay a sum of Rs. 300 to the workman concerned by way of costs.

G. S. BAROT, Industrial Tribunal (Central)
[No. L-12012/24/79-DII(A)(Pt.)]
N. K. VERMA, Desk Officer

नई दिल्ली 11 अक्टूबर, 1985

का.आ. 4978. मजदूरी संघाय अधिनियम, 1936 (1936 का 4) की धारा 24 के साथ पठित उक्त अधिनियम की धारा 14 की उप-धारा (2) और (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार मुख्य भूम आयुक्त (केन्द्रीय) नई दिल्ली के कल्याण सलाहकार को मजदूरी संघाय अधिनियम, 1936 के प्रयोजनार्थ निरीक्षक के रूप में की नियुक्त करती है और निदेश देती है कि वह पूरे भारत में खानों, खेज क्षेत्रों, वायु परिवहन सेवाओं और रेलवे, जिन पर उक्त अधिनियम लागू होता हो से संबंधित अपने सारे कार्य करेगा।

[एस. 31012/7/85-इस्यू.सी. (पी. इस्यू.)]

New Delhi, the 11th October, 1985

S.O. 4978.—In exercise of the powers conferred by sub-sections (2) & (3) of section 14 of the Payment of Wages Act, 1936 (4 of 1936) read with section 24 of that Act, the Central Government hereby appoints the Welfare Adviser to the Chief Labour Commissioner (C), New Delhi also to be the Inspector for the purpose of the Payment of Wages Act 1936 and directs that he will exercise his functions in the whole of India in respect of Mines, Oil fields, Air Transport Services and Railways to which the said Act applies.

[F. No. S-31012/7/85-WC (PW)]

का. आ. 4978:—यूनितम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 19 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए, केन्द्रीय सरकार मुख्य श्रम आयुक्त (केन्द्रीय) नई दिल्ली के कल्याण सलाहकार को सम्पूर्ण भारत के लिए न्यूनतम मजदूरी अधिनियम, 1948 के प्रयोजनार्थ निरीक्षक के रूप में भी नियुक्त करता है।

[फा. एम. 32025/15/85-डब्ल्यू.सी. (एम. डब्ल्यू.)]

पो. राघवन, उप-सचिव

S.O. 4979.—In exercise of the powers conferred by sub-section (i) of section 19 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby appoints the Welfare Adviser to the Chief Labour Commissioner (Central), New Delhi, also to be the Inspector for the purpose of the Minimum Wages Act, 1948 for the whole of India.

[F. No. S-32025/15/85-WC (MW)]

P. RAGHAVAN, Dy. Secy.

नई दिल्ली, 14 अक्टूबर, 1985

का. अ. 4980.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भल करेज फैक्ट्री, जबलपुर के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-10-85 को प्राप्त हुआ था।

New Delhi, the 14th October, 1985

S.O. 4980.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Gun Carriage Factory, Jabalpur and their workmen, which was received by the Central Government on the 3rd October, 1985.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, JABALPUR (M. P.)

Case No. CGIT|LC(R)(54)|1984

PARTIES :

Employers in relation to the management of Gun Carriage Factory, Jabalpur and their workman, Sri Indra Behari, Ex-Labour C/o Shri S. L. Verma, H. No. 310, Beoharbagh, Jabalpur (M. P.)

APPEARANCES :

For workman.—Shri Shanker Lal Verma.

For management.—Shri A. K. Chaube, Advocate.

INDUSTRY : Gun Carriage DISTRICT : Jabalpur (M.P.)
Factory.

AWARD

Dated September, 22th October, 1985

By Notification No. L. 14012(3)/83-D.II(B), dated 16-7-1984 the Central Government has referred the following dispute for adjudication :—

“Whether the action of the management of Gun Carriage Factory, Jabalpur in removing Sri Indra Behari, Labour B. T. No. 5388|IE from service with effect from 1-12-81 is justified? If not, to what relief is the workman entitled?”

2. The case of the application is that late Shri Indra Behari was appointed as Labour 'B' at the Gun Carriage Factory, Jabalpur on 28-9-1972 and he joined his duties on 30-9-1972. He was working in M. T. Section. It is further alleged that without any enquiry or notice he was removed from service vide Factory Order dated 22-12-1981 which was illegal and against natural justice. The matter went up to the Central Government and hence this reference.

3. The case of the management is that the workman, Shri Indra Behari, was found driving the Ambulance inside the Factory in a rash manner under the influence of alcohol which was verified by the Medical Examination. He was placed under suspension on 10-10-1981 and subsequently charge-sheeted under Rule 14 of C.C.S. (C.C.A.) Rules 1955. He admitted the charge vide his written statement of defence dated 20-11-1981. Since this was his second offence of drunkenness on duty penalty prescribed by Ordnance Factory Board's letter No. 567|A|Vig. dated 29-4-1973 the removal from service was awarded to him. However, the workman died on 4th October, 1983 due to heart failure even before this reference was made on 16-7-1984. Hence his legal representatives viz. widow, daughter and mother appeared on his behalf.

4. The factum of his death is supported by an Affidavit dated 22-9-1984 of his father, Shri Shankar Lal Verma. The management raised a preliminary objection that since Shri Indra Behari died before the reference this reference is not tenable and be rejected.

5. I have gone through the recorded and considered the law applicable in such cases. It is pertinent to note in this case that this dispute was between the workman, Shri Indra Behari, and the management in his individual capacity. It was not a collective dispute. Law is well settled now that where it is an individual dispute with the death of the individual workman concerned the dispute lapses and where it is a collective dispute it continues to exist after the death of the one individual workman; and where the dispute is concerning one workman but that is to effect the status of successor in office and in that case the industrial dispute subsists even after the death of the individual workman as has been held in Bihar Working Journalists Union Vs. H. R. Chowdhury and another (1968 Lab. I. C 515).

6. Another aspect of the matter is that in the instant case the dispute is whether the removal of Shri Indra Behari from service with effect from 1-12-1981 is justified. In other words if found unjustified he will be entitled to reinstatement which relief cannot be awarded since he died even before the reference to this Tribunal.

7. Even on merits I find convenient to reproduce the order of removal from service passed by the General Manager, dated 1-12-1981 :—

“On careful consideration of the written statement of defence to memorandum referred to above, wherein the Govt. employee has admitted the charge, the undersigned holds that article of charge viz: “Gross Misconduct found under the influence of alcohol and unauthorised by the Ambulance No. MPQ 4824—conduct—subversive of discipline” framed against Shri Indra Behari, T. No. 5388|IE, Lab. 'B' MT Section, Gun Carriage Factory, Jabalpur, is established.

2. The undersigned, therefore, imposes the penalty of REMOVAL FROM SERVICE on said Shri Indra Behari, T. No. 5388|IE Lab. 'B' MT Section, Gun Carriage Factory, Jabalpur, with effect from the date of issue of this order.”

Thus on merits also the deceased workman or his legal representatives are not entitled to succeed. For the reasons discussed above I find on account of the death of the workman, Shri Indra Behari, even before the reference was made the reference becomes infructuous. In the absence of any evidence on behalf of the workman I hold that looking to the nature of the charge against him the action of the management of G. C. Factory Jabalpur in service Shri Indra Behari, Labour 'B' T. No. 5388|IE from service with effect from 1-12-1981 is justified. As such his legal representatives are not entitled to any relief.

V. S. YADAV, Presiding Officer.

Dated: 22-9-1985

[No. L-14012(3)/83-D. II (B)]

HARI SINGH, Desk Officer

नई दिल्ली, 15 अक्टूबर, 1985

का. अ. 4981—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रिय सरकार कर्णाटक बैंक, मंगलूर के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंधों में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करता है, जो केन्द्रिय सरकार का 30 सितंबर 1985 को प्राप्त हुआ था।

New Delhi, the 15th October, 1985

S.O. 4981.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the Karnataka Bank, Mangalore and their workmen, which was received by the Central Government on the 30th September, 1985.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated this the 19th day of September, 1985

PRESENT :

Sri R. Ramakrishna. B.A., B.L.,—Presiding Officer.

Central Reference No. 15 of 1984

I PARTY :

The Secretary, Karnataka Bank Employees Association,
Dongerkery, Mangalore-3.

Verses

II PARTY :

The Chairman, Karnataka Bank, Mangalore-3.

APPEARANCES :

For the I Party :—Sri K. R. Putturaya, Advocate,
Mangalore.

For the II Party :—Sri K. S. Bhat, Advocate,
Mangalore.

REFERENCE :

(Government Order No. L-12012/43/83-D.IV(A) dated
28-5-1984).

AWARD

The Central Government in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, shortly called Act, has referred the above noted dispute for adjudication as per the Schedule below :—

SCHEDULE

"Whether the action of the management of Karnataka Bank Ltd., Head Office, Mangalore in relation to their Mandya Branch in accepting the resignation letter dated 28-5-83 of Shri J. Sreekantaswamy, Sub-Staff under their letter dated 4-6-83 when the latter had already withdrawn his resignation under his letter dated 30-5-83, is justified? If not, to what relief is the workman concerned entitled?"

2. The II Party in their claim statement have contended that J. Srikanthaswamy who was working as an Attender at the Mandya Branch has tendered an unconditional resignation by a letter dated 28-5-1985 and left the office of the Mandya Branch on the morning of 28-5-1983 abandoning his services. The letter was forwarded from the Branch Office to the Head Office which was received on 31-5-1983. The resignation was in presentee and in most unequivocal terms and unconditional.

3. They have further contended that as per the Sastry Award para 522 sub-clauses (2) and (3) a permanent employee may resign by giving one month's notice or a month's salary in lieu of notice. However, it is the management's discretion either to insist for one month's notice or pay in lieu thereof or to waive it. This rule does not contemplate acceptance of resignation by the employer. The resignation came into effect the moment it was tendered by the employee. There is no question of withdrawing the resignation which has already become effective. They have further contended that without prejudice to the aforesaid contention that the resignation letter dated 28-5-1983 of the I Party was accepted by the competent authority on 1-6-1983. The letter of the employee withdrawing the resignation was received by the Head Office on 4-6-1983 only. Therefore the dispute now raised cannot be the subject-matter of an Industrial Dispute and the employee is not entitled to any reliefs and he has also gainfully engaged. They prayed for rejection of the reference.

4. The General Secretary of the I Party Association has filed the statement on behalf of the workman and the contention taken thereon is briefly as follows:—

Sri J. Srikanthaswamy employed as an Attender has tendered his resignation dated 28-5-83 on the spur of the moment due to many of his family problems which had created a mood of disgust which led to his resignation. The workman after realising the blunder committed by him has submitted a letter dated 30-5-83 addressed to the General Manager through Branch Manager, Mandya Branch withdrawing his resignation and tendering apology and assuring good work in future. Accordingly on 30-8-83 the Branch Manager had a talk with the General Manager, Mangalore communicating him the withdrawal of resignation letter and requesting him to accept the same. The General Manager had agreed and assured the Branch Manager to consider the request and revocation of resignation favourably.

5. It is further contended that the workman throughout his career had unblemished records which was appreciated by previous Branch Manager. When that was the case the General Manager surprisingly and unilaterally accepted the resignation as per the letter dated 4-6-83 and informed the I Party accordingly after knowing fully well about the withdrawal on 30-5-83 itself. The workman once again requested the Manager by a letter dated 14-6-83 to confirm the revocation of the resignation letter which was not favoured with it and several other requests were turned down by the II Party.

5A. He has further contended that the acceptance of the resignation on 4-6-83 after it was withdrawn on 30-5-83 is bad in law and lacks principles of natural justice which is a victimised attitude depriving the workman his only source of employment. It is further contended the II Party had not followed the procedure while accepting the resignation as per the provisions of Sastry Award after confirming of revocation of resignation on 30-5-83. The resignation was not submitted in accordance with the provisions of para 522(2) and (3) of Sastry Award as it was not a valid resignation and the same could not be accepted in the manner in which it was accepted by the II Party.

6. He has further contended that the II Party failed to follow the procedure laid down under the Sastry Award while accepting the resignation of permanent employee and there are no procedure for accepting the resignation of a permanent employee in the Sastry Award. He has further contended that the resignation comes into effect only after expiry of one month's notice or after paying one month's pay and not at the moment in which it is tendered. A permanent employee can withdraw or revoke the resignation before it is accepted voluntarily on his own accord. The revocation letter was communicated to the Head Office on 30-5-83 itself and the II Party had no authority to accept resignation letter on 4-6-83 after it was revoked and withdrawn in the above circumstances.

7. He has further contended, the resignation letter did not become effective either on 30-5-83 or on 4-6-83 due to revocation or withdrawal and in the absence of any resignation letter acceptance is against fact and law. The resig-

nation letter was not subsisting on 4-6-1983 hence the II Party lacks authority to accept the same on that day. In view of this the relationship of master and servant continued ever after 4-6-83. It is further contended the II Party had discretionary power to waive one month's notice before accepting resignation as per Sastry Award and unless and until the said condition is fulfilled, the resignation cannot be accepted. He has further contended the acceptance of resignation letter with effect from 4-6-83 amounts to illegal, unlawful and wrongful termination of employment and he is entitled for relief of reinstatement with payment of back wages and all other benefits with effect from 4-6-1983.

8 On the basis of the above pleadings, one additional issue was framed as follows:—

- (1) Whether the I Party proves that acceptance of resignation by the II Party is violative of provisions of Sastry Award para 522(2) and (3)?

9. The determination of this dispute involve both question of law and facts. The parties have been advised to lead their evidence on the question of facts which has got some bearing on the question of law. Accordingly, the II Party have examined the General Manager and on behalf of the I Party the General Secretary and the affected workman tendered the oral evidence.

10. One Sri U. Narayana Mayya, presently working as General Manager in the II Party, has deposed that during May, 1983 he was working as a Deputy General Manager and he knows the workman. On 31-5-83 when he was officiating as General Manager he received a letter from the Branch Manager, Mandya as per Ext. M-1 enclosing therein the resignation letter as per Ext. M-2. The Personnel Manager has put up a note on Exts. M-1 and M-2 as per Ext. M-3. As per the note Ext. M-3 he accepted the resignation as per the endorsement made thereon as per Ext. M-3 (a) on 1-6-83. This fact of acceptance was communicated to the workman on 4-6-83 as per Ext. M-4.

11. He has further deposed that later the Bank has received a letter dated 30-5-83 from the workman as per Ext. M-5. A note was put up by the Manager of Mandya Branch as per Ext. M-6. The Law Officer of their branch has put up a note addressed to the General Manager as per Ext. M-7. Ex. M-6 bears the endorsement of Chairman as per Ext. M-6 (a) and regular General Manager made his endorsement on 7-6-83 as per Ext. M-6 (b). He has further stated that he has not received any phone call from the Manager of Mandya Branch with regard to the resignation of the workman.

12. On behalf of the I Party, the General Secretary gave the evidence stating his right to represent the workman and to file the claim statement. In his evidence, the letter sent by the Association and the reply by the II Party and the representation of the workman dated 14-6-83 has been marked as Exts. W-1 to W-3. This witness has produced another letter dated 12-6-83 purported to be written by the then Manager of Mandya Branch M. Ramesh Rao. The II Party counsel has objected for the making of this letter and after over-ruling the objection the said letter has been marked as Ext. M-4. The detailed cross-examination about the genuineness of this letter was made by the counsel to the General Secretary and this aspect will be adverted at the appropriate time.

13. The workman gave the evidence as WW-2 and stated that at the time of his resignation he was residing at Mysore City and every day he was travelling from Mysore City to Mandya to attend the Bank which is about 45 Km. His further evidence shows that his father passed away one month earlier to his resignation letter and on the previous day his mother was seriously ill and hence he left the Bank early and on 28-5-83 when he came to the Bank the Branch Manager has questioned him for his early going on the previous day and due to that he lost his balance of mind and tendered his resignation letter Ext. M2.

14. It is his further evidence that on the evening of 28-5-83 he informed his family members and after thinking in a cool atmosphere he has realised the mistake he has

done and on the next day i.e. on 29-5-83 which is a Sunday, he came to Mandya and met the Manager in his house and expressed the intention to withdraw his resignation and on the advice of the Manager that he will inform the fact to the General Manager he came on the next working day i.e. on 30-5-83 and in his presence the Manager contacted the General Manager he came on the next working day i.e. 30-5-83 and in his presence the Manager contacted the General Manager over the phone through trunk call and informed the fact of withdrawing the resignation for which the General Manager replied the Manager to take an apology letter and allow him to continue his work. Since he has taken this stand the II Party have produced the trunk call register maintained by them and the same were marked as Exts. M-8 and M-9 and they have also produced the trunk call bill for that month which has been marked as Ext. M-10 and all the relevant entries have been marked as Exts. M8(a), M9(a) and M10(a).

15. He has further deposed that from 31-5-83 he continued his service upto 9-6-83. After 10-6-83 he has been advised not to attend the work and refused his employment on the ground that the Head Office has accepted his resignation. He has received Ext. M-4 dated 4-6-83. He has further deposed that he has not been relieved from the Bank even to this day by settling his account and at present he is unemployed and he has got willingness to continue his job.

16. In the cross-examination of MW-1 it is elicited that he was the officiating General Manager on that day and on 4-6-83 the regular General Manager was present and he has not communicated in Ext. M3(a) from what date the resignation is accepted. He has further stated that he is not aware whether a relieving letter was issued or not Exts. M-1 and M-2 were received on 31-5-83 and he has initialled as per Exts. M2(2) and M1(a). He has denied the suggestion that the resignation was accepted on 4-6-83 and he has also denied the suggestion of having received a phone call from Mandya Branch Manager, informing him not to accept his resignation and his assurance that he will consider the request favourably.

17. Now coming to the letter Ext. M-4 which purported to have been written by the Branch Manager Sri Ramesh Rao, certain facts are necessary to find out the genuineness of this document. It is suggested to WW-1, the General Secretary that the said Ramesh Rao is now facing a criminal prosecution and C.B.I. investigation with regard to the misappropriation and other charges. It is further elicited that this witness will not remember whether he has received Ext. W-4 personally or by post and he does not remember whether a copy of this Ext. W-4 was forwarded to the Bank or not and he has not informed the Bank in any of the correspondence subsequent to 12-6-83 about the existing of Ext. W4.

18. On a perusal of Ext. W-4 it is a typed letter on a plain paper addressed to the name of General Secretary narrating the apology vide letter dated 30-5-83 and certain difficulties undergone by this workman and his recommendation made to the General Manager on 30-5-83 over the telephone not to take any action on the resignation letter and to transfer the workman to Mysore City due to his difficulty. This witness being a General Secretary of the Union was not able to say the manner in which this letter was received by him and the occasion for sending such a letter to his address without any specific request made by him. Though this letter is dated 12-6-83 the fact that he has not been brought to the notice of the General Manager vide his letter Ext. W-2 dated 21-5-83 clearly shows that this letter is a got up document invented for the purpose of this case. I have compared the signature of M. Ramesh Rao signed in Ext. M-1 which is an admitted signature with the signature in Ext. W-4 which is a disputed letter and though there is some similarity in the disputed letter to that of admitted letter, in view of the information that the said Ramesh Rao is now facing criminal prosecution there is every possibility of creating a document of this nature with the connivance of the said Ramesh Rao for the purpose of this case cannot be ruled out. When the genuineness of this letter was in question, the I Party have not been prevented to examine the author of this letter by taking summons of this Tribunal if he is not in service or requesting the Tribunal to direct the II Party to make available before this Tribunal if he is still in service. Hence this letter cannot be relied for any purpose.

19. Now coming to the cross-examination of the workman it is elicited that during 1979 due to his continuous absence a letter of warning was issued that his service will be terminated. During 1980 another notice was served on him for continuous absence for a period of 458 days on loss of pay. It is further suggested to him that he has discounted a cheque for Rs. 400 during July, though there was no money and he has reimbursed the same after one month.

20. It is further elicited that on 28-5-83 the Branch Manager has not telephoned to General Manager in his presence and when he met the General Manager on 29-5-83 he informed him that he is withdrawing his resignation and he has been asked to meet on 30-5-83 in the Bank. He has further deposed that on 30-5-83 the Manager has not telephoned the General Manager in his presence and he does not know whether the Manager has contacted the General Manager over phone on 29-5-83 or not. It is further elicited that on 30-5-83 he went to the Bank at the time of opening, with the intention to do his job and he has not been allowed. He handed over Ext. W-5 somewhere between 4 P.M. and 6 P.M. and he was loitering inside the Bank from 10 A.M. onwards. He has further stated that he does not know whether any police visited the Bank in mufti dress and he has not made any threatening to any of the Bank official on the day and Ext. M-5 was taken by the Manager after he had telephone conversation. He has further stated that he does not remember at what time the Manager made trunk call and he was not knowing the name of General Manager and again stated after he gave Ext. M-5 to the Manager he has not made any telephone conversation with the General Manager in his presence. He has received Ext. M-4 on 11-6-83 and his last working day in the Bank was 9-6-83. After he received Ext. M-4 he has not attended the duty.

21. On a scrutiny of the oral documentary evidence it did reveal that the workman has tendered his resignation on 28-5-83 and the same was sent to the General Manager along with Ext. M-1 which was received by them on 31-5-83 as per the endorsement Ext. M-2(a). A legal opinion was sought on this resignation letter as per Ext. M-3 on 1-6-83 and after perusing, the resignation was accepted by the officiating General Manager as per Ext. M-3(a) and a letter dated 4-6-83 was communicated to the workman with copies to all the concerned accepting the resignation and directing the Branch Manager to issue relieving certificate on clearing the dues to the Bank.

22. It further discloses that the receipt of Ext. M-5 dated 30-5-83 a letter by the workman withdrawing his resignation and this letter makes clear the reason for his sudden resignation to tender and the reason for withdrawing the same by tendering apology. It also discloses his contact to the Manager on 29-5-83 and his visit to the Bank on 30-5-83 at 4 P.M. and requesting the Manager to contact the Head Office and inform not to take cognisance of his resignation letter. Ext. M-6 is a covering letter written by the Branch Manager which corroborates the facts elicited in the cross-examination about the presence of the police in mufti and the visit of the workman at 3.30 P.M. It further shows that this letter being addressed to the personal name of the regular General Manager having received on 4-6-83 and there is endorsement of Chairman and General Manager as per Exts. M-6(a) and M-6(b). Ext. M-7 is a letter from legal section giving opinion that the acceptance of the resignation is in order. On a perusal of Exts. M-8, M-9 and M-10 that on 30-5-83 a trunk call was made to the General Manager by the Branch Manager connected to the matter relating to this workman as in the column "Particulars of message" the name of this workman is mentioned.

23. On a perusal of the evidence, both oral and documentary, discussed above, the workman has tendered his resignation on 28-5-83 as per Ext. M-2 in the local language Kannada, a translation of the said letter in English, as nearly as possible can be read as—

"I on my accord submitting a resignation for my post vide this letter, please give due credence to this letter".

24. This letter was despatched to the Head Office management along with a covering letter Ext. M-1 and the same was received in the Head Office on 31-5-83 as per the endorsement Ext. M-2(a). This resignation letter appears to have been sent to Legal Department and their opinion was obtained as per Ext. M-3 on 1-6-83. On Ext. M-3 the officiating General Manager has made an endorsement accepting the resignation with a direction to collect all dues to the Bank as per Ext. M-3(a) and an acceptance letter dated 4-6-83 was communicated to the workman as per Ext. M-4. It is in the evidence that on 29-5-83 the workman expressed his willingness to withdraw his resignation by giving reasons and on 30-5-83 as per Ext. M-5 he has addressed a letter to the General Manager through Manager of the Bank. This letter was sent by the Branch Manager with a covering letter Ext. M-6 dated 30-5-83 addressing the same in the personal name of the regular General Manager who was not present when resignation letter was accepted. The endorsement on Ext. M-6 shows that this letter was seen by the regular General Manager on 7-6-83 as per the endorsement with some remarks against the workman. This letter does not bear the seal of the office to understand on which date it has been received in the Head Office similar to the seal made on Ext. M-2. The learned counsel for the II Party has submitted that since this letter has been addressed to the personal name of the General Manager, the same will not be opened by the Receiving Section hence there cannot be a seal for having received on a particular date. MW-1 has stated in his evidence that on 31-5-83 he was officiating General Manager and on 4-6-83 the regular General Manager was present. The endorsement was made on 4-6-83 on Ext. M-6 first by the Chairman then by the regular General Manager. It appears that the acceptance of resignation letter Ext. M-4 was signed by the officiating General Manager.

25. The learned counsel on both sides have interpreted Rule 522(2) and (3) of Sastry Award in support of the stand taken by them. The counsel for the II Party has submitted that once the resignation is tendered and accepted before its withdrawal the resignation will overcome final. The learned counsel went a step further and submitted that once it is accepted the communication is not important. Against this submission, the learned counsel for the I Party has submitted that the acceptance of the resignation is not complete until the party is relieved by giving a relief letter.

26. Rule 522 of the Sastry Award prescribed the procedure for termination of employment. Under sub-clause (2) it is stated that a permanent employee desirous of leaving the service of the Bank shall give one month's notice in writing when he leaves service, by given an order of relief signed by the manager. Sub-clause (3) contemplates that if any permanent employee leaves the service without giving notice he shall be liable to pay the Bank one month's pay and allowances.

27. On a reading of this provision it does not show when the resignation tendered by an employee will become final but it only shows the procedure that has to be adopted in the case of accepting the resignation and it is left to the bank to collect one month's salary in case a resignation is tendered without one month's notice or waive it. Since it is the discretion of the management to collect one month's wages, non-collection of the same will not render the acceptance of the resignation invalid. It should be borne in mind that after Ext. M-4 that the acceptance of resignation no further communication appears to have made to the workman with regard to the relief order and settlement of account. This action is not at all relevant in this case in view of the developments that took place and the whole matter was started revolving on Ext. M-5 the letter of withdrawal dated 30-5-83.

28. The learned counsel for the II party has further submitted that once the resignation is accepted it cannot be withdrawn as admittedly the letter of withdrawal was received after acceptance of the resignation and he further submitted that this Tribunal cannot have a sympathetic view in the matter as it is disclosed in the cross-examination of the workman that throughout his career he has not shown any interest in his service though his domestic trouble appear to have been started after he committed several irregularities.

The learned counsel very fairly submitted that the Bank cannot rely on such an employee to continue his service but without prejudice to the above contentions if this Tribunal were to hold that he is entitled for any relief he can be reinstated without any back wages and other incidental benefits.

29. Against this submission, the learned counsel for the I Party workman has submitted that after submitting the letter of resignation on 28-5-83 the workman has immediately sent the letter of withdrawal dated 20-5-83 and hence the so-called acceptance made on 1-6-83 is not an acceptance at all in view of the withdrawal letter dated 30-5-83. The learned counsel further submitted that when Ext. M-4 was sent by the II Party to the workman accepting his resignation there was legally no letter of resignation was pending as the same has been withdrawn on 30-5-83 itself.

30. Admittedly, the Sastry Award which has been relied by both the parties, except showing the mode in which a permanent employee should leave the service it is silent with regard to withdrawal except when a permanent employee leaves service he shall be given an order of relief signed by the Manager. In view of this to resolve this controversy, we have to rely on the available case law.

31. There is no quarrel over the matter that once a resignation is accepted the scope to withdraw the same after it is accepted is very much limited.

32. In *Raj Kumar vs. Union of India* reported in 1969 Lab. I.C. 310 the petitioner a member of Indian Administrative Service, asked the Government to relieve him from service. The Government accepted it. But before communication of the order accepting his resignation reached him, he withdrew his offer of resignation. Their Lordships held that the petitioner had no locus paenitentiae to so withdraw his offer of resignation after it was accepted. In this case, the petitioner addressed the letter of resignation on 21-8-64 to the Chief Minister and he also addressed another letter dated 30-8-64 to the Chief Secretary submitting his resignation and for oral acceptance and requested that it may be forwarded to the Government of India with remarks, the State Government recommended for acceptance of the resignation which was accepted on 31-10-64 and intimated to relieve the petitioner and intimate for a formal notification. The petitioner on 27-11-64 requested the Chief Secretary to recommend acceptance of the withdrawal of his letter.

33. In *Union of India vs. O. C. Misra* reported in 1978 SC I.L.J. 492, the Full Bench of Supreme Court, His Lordship Murtaza Fazal Ali, dissenting, have held that a resignation letter effective from a future date can be withdrawn before that date is reached. In this case, a High Court Judge has sent a resignation letter dated 7-5-77 addressed to the President resigning Judgeship from 1-8-77. Meanwhile, the Judge changing his mind sent another letter dated 15-7-77 withdrawing his earlier letter and joining the Bench. Their Lordships further held that his letter dated 7-5-77 was only a proposal or notice to resign on a future date and not being an absolute and complete resignation operative with immediate effect could be and, in fact, had been validly withdrawn by a subsequent letter dated 15-7-77.

34. In *Hukumat Rai -vs- State of Gujarat* reported in 1983 I.L.J. 384, the petitioner a Government employee submitted his resignation to the Head of the Department as Appointing Authority being the Government. The Department Head did not forward the resignation letter to the Government as it was not in conformity with the rules. Meanwhile, the Government employee had changed his mind and withdrew the resignation. Thereafter, the Head of Department forwarded the letter to the Government. It was held that the letter of resignation having received by the Appointing Authority after the withdrawal of the resignation, it could hardly be contended on behalf of the Respondent that the resignation should be deemed to have accepted by efflux of time.

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936 GI/85—9

35. As I said earlier, both the sides have not produced any rule governing the Bank with regard to this aspect of the matter. The wordings of resignation letter Ext. M-2 and the manner in which it was tendered by the I Party workman and abandoning his service in the Bank clearly indicates that it is with immediate effect. However, the facts and circumstances of this case reveal that this resignation was tendered in a spur of a moment by the I Party workman due to imbalance of mind, the reasons of which was spoken to by him which stand un rebutted. The officiating General Manager after taking the legal opinion has accepted the resignation by making an endorsement on 1-6-83 and the same was communicated on 4-6-83. In this angle of the case, the tendering of resignation and acceptance thereof brought an end to master and servant liability. The I Party workman has given a representation on 30-5-83 explaining thereon his intention to withdraw the resignation letter with due apology to the management. Unfortunately, this letter was sent to the personal name of the regular General Manager who said to have received this letter on 4-6-83 and due to the past conduct of this workman during his service this letter of withdrawal has not been given any recognition as it indicated on the endorsement made on the covering letter Ext. M-6. The facts and circumstances of this case without an iota of doubt disclose that the I Party workman instead of doing his job as befitting to an employee of his cadre has committed various misconducts throughout his career which he has not denied in his cross-examination. His tendency of carelessness throughout his career has prompted the management to get rid of his services when such an opportunity comes in their way. The workman has deliberately given a false report of his previous services and failed to establish in his evidence.

36. However, he has placed certain materials about his family difficulties which started occurring before he tendered his resignation which is no doubt quite pathetic. The adventure of this workman has led into this dispute and the II Party cannot be blamed for the turn of the event as occurred in this dispute. The I Party workman has not proved that the acceptance of the resignation is violative of the provisions of Sastry Award para 522 (2) and (3). Hence Issue No. 1 is answered accordingly.

37. However, taking into consideration the facts and over all circumstances of this case and acting under Section 11A of the Industrial Disputes Act, I pass the following award:—

AWARD

The acceptance of resignation letter dated 28-5-83 vide the II Party's letter dated 4-6-83 is hereby set aside and the II Party-management is directed to reinstate the I Party-workman from the date of publication of this award in the post which he was holding on the date of his resignation letter without disturbing the emoluments he was drawing as on that date. The I Party workman is not entitled for any consequential benefits, such as, back wages, cost of this litigation, etc. The parties shall bear their own costs.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me).

R. RAMAKRISHNA, Presiding Officer

[No. L-12012/43/83-D.IV(A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 16 अक्टूबर, 1985

कां०शां० 4982—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूची में, केन्द्रीय सरकार ईस्टर्न कोलफील्ड लि० की बजटा कॉन्ट्रैक्ट के प्रवर्धन से सम्बन्धित नियोजकों और उनके कर्मचारियों के बीच अनुसूची में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण न० 2, ब्रतवाड के पंचाट का प्रकाशित करनी है, जो केन्द्रीय सरकार को 3-10-85 को प्राप्त हुआ था।

New Delhi, the 16th October, 1985

S.O. 4982.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Badjina Colliery of Messrs Eastern Coalfields Ltd., and their workmen, which was received by the Central Government on the 3rd October, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri I. N. Sinha, Presiding Officer.

Reference No. 30 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947

PARTIES:

Employers in relation to the management of Badjina Colliery of Messrs. Eastern Coalfields Limited and their workmen.

APPEARANCES:

On behalf of the employers—Shri R. S. Murthy, Advocate.

On behalf of the workmen—Shri D. Mukherjee, Advocate.

STATE: Bihar

INDUSTRY: Coal.

Dated, the 25th September, 1985

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. 1-20012(378)/84-D. III (A), dated, the 21st March, 1985.

SCHEDULE

Whether the action of the management of Badjina Colliery of Messrs. Eastern Coalfields Limited, post Office Nirshachatti, District Dhanbad in recording the date of birth of Shri Bhibuti Ojha as 16-7-1930 instead of 6-5-1939 as claimed by the workman is justified? If not, to what relief the said workman is entitled?"

The case of the workman is that the concerned workman Shri Bhibuti Ojha has been working as Pump Kbalasi since long in Badjina Colliery of M/s. E.C.L. His date of birth was 6-5-1939. The actual date of birth of the concerned workman was recorded as 6th May, 1939 in the record of record of the management and accordingly the identity card was prepared and issued showing his date of birth as 6-5-1939. The management illegally and arbitrarily interpolated the date of birth of the concerned workman as 16-7-1930 in the Form B Register. The concerned workman represented before the management against the wrong entries of his date of birth, in Form B Register and he produced his school leaving certificate in support of his date of birth before the management. During a discussion with the sponsoring union and the management on 18-4-85, the management agreed to examine the case after obtaining details from the area office. But the management did not consider the case of the concerned workman. Thereafter the union raised an industrial dispute before the ALC(C), Dhanbad in the conciliation but the same ended in failure. The failure report was sent to the Government of India by the ALC(C), Dhanbad where upon the present reference was sent for adjudication to this Tribunal. It is submitted that the action of the management in recording the date of birth of the concerned workman as 16-7-1930 instead of 6-5-1939 was illegal arbitrary and against the principles of natural justice. The

concerned workman had also represented before the management for determination of his age by the medical board but the management did not accede to it. It is prayed that the management be directed to record the date of his birth as 6-5-1939

The case of the management is that the concerned workman was employed in Badjina Colliery with effect from 1-10-63. The said colliery was nationalised with effect from 1-5-73 under the Coal Mines (Nationalisation) Act, 1973. The relevant entries regarding the date of birth of the concerned workman was made in Form B Register of the colliery showing his date of birth as 16-7-1930. The said entry in the Form B Register was duly attested by the concerned workman by putting his LTI in the appropriate column. As per rules of the management the age of superannuation is 60 years and in normal course the concerned workman is due to retire with effect from 16-7-1990. The concerned workman had mala fide intention of reducing his age with a view to illegally continue in the services for a long period than what he is actually entitled to. The identity card was prepared in 1974 and the age of the concerned workman was wrong in it as stated by the concerned workman. The said entry of age/date of birth in the identity card was not verified with the entries of age in the Form B Register. The Welfare Officer had signed the identity card by accepting what the concerned workman had orally stated about his age and it was an error on the part of the welfare officer not to verify the same. The entries of age in the identity card cannot be the basis for accepting the age of the concerned workman. The basic record for determining the age is the entry of the age in Form B Register. The JBCCI at the national industrial level has decided that where there is a variation in the records of the management or an apparent wrong entry and where the management is satisfied on the merits of the case, it will take appropriate action for correction through age determination committee/Medical Board. The concerned workman has not been able to convince the management about their decision for any such action. In the above view of the matter it is submitted that the action of the management in recording the date of birth of the concerned workman as 16-7-1930 instead of 6-5-1939 is justified and the concerned workman is not entitled to any relief. In the alternative it was also submitted that if the management's stand is not accepted then it may be a case for determination of the age of the concerned workman by the age assessment committee/Medical Board and in that case the Tribunal may be pleased to give such a direction in the award.

The only question to be determined in this reference is whether the date of birth of the concerned workman be noted as 16-7-1930 or 6-5-1939.

The management have examined three witnesses in support of their case and the workman have examined only the concerned workman as WW-1. Besides it the management have produced documents which have been marked as Ext. M-1 & M-2 and documents produced on behalf of the workmen have been exhibited as Ext. W-1 to W-4. The management have produced Form B Register which is marked Ext. M-2. In Sl. No. 475 there is the relevant entry in respect of the concerned workman Bhibuti Ojha and in the age column his date of birth is stated as 16-7-30. There is also LTI in Column No. 9 against the entry of the name of the concerned workman. On the basis of this entry of age of the concerned workman in Form B Register it is submitted that the date of birth of the concerned workman is 16-7-1930. The concerned workman on the other hand has produced the identity card Ext. W-1 which shows that the date of birth of the concerned workman is shown as 6-5-1939. Admittedly, this identity card is signed by the Welfare Officer. Besides that the concerned workman has also filed the School Leaving Certificate Ext. W-4 which shows his date of birth as 6-5-1939. These are the documents which have been produced on either of the parties, in respect of their respective cases.

MW-1 Shri S.S. Singh is working as Senior Personnel Officer and he was working in Badjina Colliery as Welfare Officer from 1974 to 1977. He has stated that the date of birth of the concerned workman is recorded in Form B Register

and that the identity card has also been issued to the concerned workman. He has further stated that there was difference in the date of birth of the concerned workman in Form B Register and identity card and that the entries in the identity card are not made in accordance with the entries in Form B Register. He has stated that the entries in identity card is made as per oral statement of the workmen. He has admitted that the concerned workman had approached the management for changing of his date of birth and had produced a School Leaving Certificate. The school leaving certificate has already been filed and is Ext. W-1 in this case. Ext. W-2 is the representation of the concerned workman dated 5-9-83 before the management praying for correction of his age as per identity card and his School Leaving Certificate as there was a wrong entry of his age in the Form B Register. He also requested to get him examined by the Medical Board for verification of his age if the record of the management was doubtful. MW-1 has stated that the management did not accept the entry of age in the School Leaving Certificate as it was bogus. He also stated that the management had never assured the workman to get him medically examined for assessment of his age. In the cross-examination MW-1 has stated that the age of a workman is recorded in Form B Register on the oral statement of a workman, if no document of age is produced by him. He has admitted that the management does not give any document to the workman regarding their entry of his date of birth in the management's register except the identity card. It was asserted on behalf of the concerned workman that the entry of age in the identity card are made in accordance with the entries in Form B Register and this suggestion has not been accepted by MW-1. MW-1 was not sure if any identity card register was being maintained in Badjna Colliery. He had not made any enquiry in respect of the School Leaving Certificate which was filed on behalf of the concerned workman. He had no knowledge that there was any minutes of discussion between the management and the union in respect of the age of the concerned workman. The union representing the workman has filed a photo copy of the meeting between the union and the management held on 18-4-84 which is marked X from which it will appear that item No. 1 was in respect of difference in age records. Item No. 1 shows that there was difference in the records of age of the concerned workman Bhibuti Ojha as recorded in Form B Register and the Identity Card. The union represented that in view of the variation in the age in different records the case of the concerned workman should be referred to age assessment committee and it appears that the management decided that the details should be obtained from the Area and examined thereafter. Thus it appears that the question in difference of age in different record of the management was earlier raised by the union on behalf of the concerned workman and an assurance was given that the matter will be considered after receiving the details from the Area. The management does not say as to what was the result of such examination by the management. MW-1 has further accepted that the concerned workman had applied to the management for his examination by the Medical Board. It will further appear from his evidence that the age of one Dharandeo Singh was also assessed by the Medical Board when his date of birth in Form B Register was found to be entered as 1-2-1926. This evidence had been taken on behalf of the workmen only to show that the management gets the age of a workman assessed by a Medical Board if there is controversy.

As against the evidence of MW-2, the concerned workman has examined himself as WW-1. He has stated that he was appointed in Badjna Colliery as Tyndal in 1958 and that his date of birth was recorded in Form B Register as 6-5-1939. He has further stated that the management has issued the identity card to him after the nationalisation in which his date of birth is recorded as 6-5-1939. He has denied that the particulars of the identity card were entered after making an enquiry from him. He has stated that the Form B Register Ext. M-2 does not bear his LTI. According to him the identity card is filled up on the basis of the particulars mentioned in Form B Register. Ext. M-2 shows that the services of the concerned workman commenced from 1-10-1963 but the concerned workman has stated that he stated his services in Badjna Colliery in 1958. He has also denied the LTI on Ext. M-2. What the concerned workman means is that Ext. M-2 is not the original Form B Register

of 1958 in which his date of birth was noted as 6-5-1939 and that Ext. M-2 was a document in which wrong entries have been shown regarding the date of his birth and the date when his employment commenced. In cross-examination WW-1 has stated that the particulars in Form B Register was filled up which was read over to him and thereafter he had put his LTI. The management has not produced any document to show that the services of the concerned workman commenced from the year 1963. The workman has also not produced any document to show that he started working in Badjna Colliery in the year 1958. However, these documents are expected to be in possession of the management and it is not possible for the concerned workman to produce all those documents even if he had any after lapse of so many years.

The most important document which could have given light for coming to a correct conclusion regarding the date of birth of the concerned workman was Form A which is filed with the C.M.P.F. at the time a workman becomes a member of C.M.P.F. WW-1 has stated that he is a member of C.M.P.F. and the said fact is not denied by the management. He has stated that he does not remember if the date of his birth noted in Form A was 16-7-30. The management has examined MW-3 Shri P.K. Singh an UDC working in C.M.P.F. Organisation. He has stated that on the order of Asstt. Commissioner, C.M.P.F. he has searched for Form A of the concerned workman but he could not find it. He has stated that the C.M.P.F. account had been opened in the name of the concerned workman. He has stated that the date of birth of the concerned workman is noted in Form A and the said age is noted down in the membership register which can also have shown as to what was the age which was stated in Form A of the concerned workman. He has stated that if Form A is not received in CMPF office a letter is written to the concerned colliery for Form A but he was unable to say if any such letter was written to Badjna Colliery for Form A of the concerned workman. He has exhibited a letter of the Asstt. Commissioner dated 1-7-85 by which it appears that Form A of the concerned workman did not appear to have been submitted by the colliery concerned as available records. It thus appears that Form A remained with the management. It appears from the documents of CMPF that Form A of the concerned workman has not been forwarded to the C.M.P.F. office and as such the original of Form A or its copy of the concerned workman is expected to be with the management but the same has not been filed. Thus the most important document which could have thrown light regarding the date of birth of the concerned workman has been withheld for reasons best known to the management.

The identity card is admittedly a document prepared by the management. During the course of argument it was submitted that the identity card register is now being maintained and the entries in the identity card are made in accordance with the entries in the identity card register. As the identity card is issued by the management it is then concerned that the entries made in it are correct and according to the date of birth noted in Form B Register because this is the only document which is handed over by the management to the workman regarding the date of his birth. Form B Register is maintained by the management and the extract of the relevant entries in Form B Register is not given to the workman as such the workman are under the belief that the age recorded in the Identity card is the age/date of birth recorded in the Registers of the management. In view of the fact that there is difference of recording of age of the concerned workman in Form B Register and in the Identity card issued by the management which is supported by the School Leaving Certificate, I think that it is a case of genuine difference of age recorded in the records of the management. Ext. M-1 is the circular of IBCCI dated 5-2-85. The procedure of determination of date of birth in respect of existing employees is stated in para-B at page 3 of the said circular. In sub-para 1(a) it is stated that wherever there is no variation in records, such cases will not be reopened unless there is a very glaring and apparent wrong entry brought to the notice of the management. The management after being satisfied on the merits of the case will take appropriate action for correction through age determination committee/Medical Board. It is stated that wherever there are variations a suitable provision for age determination committee/Medical

Board would be made and that the age determination committee/Medical Board is to be constituted by the management and that the age so assessed by the committee will be binding and final. I have already stated above that as the things stand there are variations in the recording of age of the concerned workman. The concerned workman had rightly prayed to the management vide Ext. W-2 for getting his age determined by appointing a Medical Board. As there are variation in the date of birth of the concerned workman in Form B Register (Which is not being accepted by the concerned workman as genuine) and the date of birth recorded in Identity Card and School Leaving Certificate, I think the best course is as provided in Ext. M-1. The concerned workman has still many years left for his superannuation and as such the management should constitute an age determination committee/Medical Board for the determination of the age of the concerned workman within three months of the date of the publication of this award in the gazette.

In the result, I hold that the action of the management in recording the date of birth of the concerned workman as 16-7-1930 instead of 6-5-1939 is not justified inasmuch as the said date of birth has not been determined by the Medical Board/Age assessment committee in spite of the fact that there was variation of the date of birth recorded in the management's records. The management is directed to appoint a Medical board/Age Assessment committee for the determination of the age of the concerned workman within three months from the date of the publication of this Award and the age so determined will be binding on both the parties and the same will be recorded in the records of the management which would be guiding factor for the superannuation of the concerned workman.

This is my Award.

I.N. SINHA, Presiding Officer

[No. I-20012(378)/85-D.III(A)]

A.V.S. SARMA, Desk Officer

नई दिल्ली, 17 अक्टूबर, 1985

कां० 4983.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रिय सरकार विजया बैंक के प्रबंधन में सम्बद्ध नियोजकों 'कारों के बीच, अनुबंध' में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, बंगलूर के पनाट को प्रकाशित करती है।

New Delhi, the 17th October, 1985

S.O. 4983.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial dispute between the employers in relation to the Vijaya Bank and their workmen.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated this the 16th day of September, 1985

PRESENT:

Sri R. Ramakrishna, B.A., B.L., Presiding Officer.

Central Reference No. 26 of 1984

I PARTY:

Sri M. Nagarajachar, C/o Dattam Bhat, Ambanna Compound, 18th Ward, Devangapeth, Hospet.
-Versus-

II PARTY:

The Chairman, Vijaya Bank, Head Office, 2, Residency Road, Bangalore-560025.

APPEARANCES:

For the I Party—None present.

For the II Party—K. Jagadeesh Alva, Advocate, Bangalore.

REFERENCE

(Government Order No. L-12012/47/83/D.IV(A) dated 27-8-1984)

AWARD

The Government of India exercising the powers conferred by Section 7A, clause (d) of sub-section (1) of Section 10, of the Industrial Disputes Act, 1947 have referred this dispute for adjudication on the following Schedule:—

SCHEDULE

"Whether the action of the management of Vijaya Bank in relation to its Hospet Branch in not providing employment beyond February, 19, 1983 to Shri M. Nagarajachar, Peon is justified? If not, to what relief is the workman concerned entitled?"

2. The above dispute was registered and notices were sent to both the parties and on behalf of the II Party Sri K. J. Alva, advocate has filed the vakalath and on behalf of the I Party one Sri M. C. Narasimhan, an advocate has undertaken to appear on 15th October, 1984. In spite of 8 adjournments the I Party has failed to appear and he has also not filed any statement in support of the dispute. In view of this the I Party treated as ex-parte and directed the II Party to file their statement. Since no statement has been filed for a considerable period this Tribunal has suo-moto called the conciliation file relating to this dispute and immediately the receipt of the same, the II Party has filed their statement showing the justification in not providing the employment to the I Party workman.

3. The II Party have contended in their statement that the I Party was engaged by the Hospet Branch against the intermittent leave vacancies of the permanent peons between 1976 to 1983. They have not engaged in services of the I Party workman more than 65 days continuously in any period. They have further contended as per the directive, the appointment of the sub-ordinate cadre shall be made through Employment Exchange. Accordingly, the vacancy was notified and since the name of the I Party workman was not sponsored by the Employment Exchange, the bank could not consider his case for appointment. It is further contended that they have not terminated the services of the I Party because he has crossed 25 years of age. The nature of job is temporary and on completion of the process of appointment the service of I Party was not required. There is no obligation on their part to absorb the I Party for permanent basis. The bipartite settlement not, provides for giving preference to temporary employee in filling up the permanent vacancies if they are otherwise eligible and fulfil the conditions stipulated for recruitment. The II Party has the right to terminate temporary peons as per terms of contract. They hold that they are justified in terminating the services of the I Party.

4. Since the I Party has failed to appear before this Tribunal the II Party has been directed to adduce their oral evidence in support of their claim statement and the II Party in lieu of oral evidence have filed an affidavit sworn by the Assistant General Manager, reiterating the stand taken by them in their claim statement which I have already adverted to.

5. On a perusal of the conciliation file, the same reveals that the I Party workman worked as a peon during the absence of regular incumbent from 1976 to the beginning of 1983. It also further shows that the maximum continuous period of work done by the I Party workman does not exceed 98 days in any particular year. The defence taken by the II Party to consider the I Party workman for a permanent appointment is that his name has not been sponsored by the employment exchange to consider his case for recruitment for permanent post. Since there is no termination of his

employment as in the case of a permanent employee, the question of conducting a domestic enquiry or extending the benefit of Section 25F of the Act does not arise. As observed by the Assistant Labour Commissioner/Conciliation Officer the situation in which the I Party workman has been put in, would have been averted by giving due weightage as a substitute peon and considered his case along with other candidates sponsored by the Employment Exchange to the extent permissible under the Employment Manual was not considered by the II Party.

6. Since the I Party workman has failed to place any material in support of his claim for the continuation of his employment or alternatively to considering for the permanent post, I am compelled to pass the following award.

AWARD

The action of the management of Vijaya Bank in relation to its Hospet Branch in not providing employment beyond February 19, 1983 to Shri M. Nagarajachar, Peon is justified. The workman is not entitled for any relief. No order as to costs.

(Dictated to the Stenographer, transcribed and typed by her and corrected by me).

R. RAMAKRISHNA, Presiding Officer

[No. L-12012/47/83-D.IV(A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 17 अक्टूबर, 1985

कां० 4984.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार वैस्टर्न कोल फील्ड लिमिटेड के प्रबंधन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं० 2, बम्बई के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3 अक्टूबर, 1985 को प्राप्त हुआ था।

New Delhi, the 17th October, 1985

S.O. 4984.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Coalfields Limited, and their workmen, which was received by the Central Government on the 3rd October, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

PRESENT :

Shri M. A. Deshpande, Presiding Officer.

Reference No. CGIT-2/35 of 1985

PARTIES :

Employers in relation to the management of Rajur Colliery of Western Coalfields Limited

AND

Their workmen

APPEARANCES :

For the Employers—(1) Shri P. S. Nair, (2) Shri Rajendra Menon Advocates.

For the workmen—Shri P. G. Phatak, Advocate.

INDUSTRY : Coal Mines STATE : Maharashtra
Bombay, dated the 17th September, 1985

AWARD

By their order No. L-22012(50)/84-D.V. dated 26th March, 1985 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act :—

936 GI/85—10

"Whether the management of M/s. Western Coalfields Limited, in Rajur Colliery in Sub-Area No. 1, P.O. Rajur, Distt. Yeotmal (MS) is justified in dismissing the services of the workman Shri Subhash Chandra Pandey Under Ground Trammer with effect from 20th December, 1983? If not, to what relief the workman is entitled?"

2. The incident giving rise to the charge sheet and the subsequent enquiry is alleged to have occurred on 10th July, 1983 at Rajur Colliery of W.C.L., about mid-night. Indictment against the workman is that at the relevant time he assaulted Shri Sukhmai Saha, Trammer, who was working as a Pit Munshi and beat him with the belt, causing him injuries. When the matter was reported to the superiors a charge sheet was served on the workman on 11/12-7-1983 on the strength of which the enquiry proceeded. It seems that the workman wanted to appoint Shri D. N. Chobe as his defence representative but since he was not serving in Rajur Colliery but in the Majri Colliery an objection was taken for his appointment by the management as a result of which Shri Vijay Bahadur Singh represented the defence. However the record shows that the matter was conducted by the workman himself who cross-examined all the management witnesses.

3. During the enquiry besides the evidence of the management's representatives, in all four witnesses well examined namely S/Shri Sukhmai Saha, Waman Dhoke, Biswanath Tulshiram and Bahadur Narayan Barde who have supported the complainant against which there was the statement of Shri Subhash Chandra Pandey the workman concerned whose plea was that while he was climbing the ladder accidentally the complainant received a push due to which according to the workman he was abused by the complainant and beaten, in other words defence was that of denial so also counter charge of sustaining injury at the hands of complainant.

4. On going through the enquiry papers the Enquiry Officer accepted the word of the complainant and the evidence against the workman and held that Shri Subhash Chandra Pandey, the workman concerned assaulted Shri Sukhmai Saha with the belt and caused him injuries. On receipt of this report the Project Officer by his letter dated 17th December, 1983 sought permission for dismissal of the workman, from the Sub-Area Manager who granted it on 18th December, 1983 and ultimately by order dated 18th/20th December, 1983 the workman was dismissed from service, which order of dismissal has given rise to the present reference.

5. By the statement of claim it is complained by the workman that neither there was any report to the Police nor he was sent to the Medical Officer for examination. It is further stated that the departmental enquiry was merely a show to dismiss the employee. It is further stated that the witnesses were highly interested and the whole thing has resulted in victimisation of the workman.

6. By their written Statement the management has supported the enquiry, its reasonableness and fairness, supported the finding and also the order of dismissal.

7. There are rejoinders by the respective parties reiterating the earlier pleas. On behalf of the workman the complaint is that he was not supplied with the copies of documents or list of witnesses which resulted in prejudice to him.

8. On the above pleadings the following issues arise for determination and my findings thereon are :—

ISSUES

FINDINGS

- | | |
|--|-----|
| 1. Are not the allegations against the enquiry vague ? | Yes |
| 2. If not whether the enquiry was vitiated on the ground that no proper opportunity was given to the workman to defend himself ? | No |
| 3. Whether the findings of the Enquiry Officer were proper and legal ? | Yes |
| 4. Was the punishment of dismissal harsh and disproportionate ? | No |

5. Was the dismissal justified? Yes
6. If not, to what relief the workman is entitled? Nil.

REASONS

9. The fact that some incident has occurred is not disputed, only difference being that Shri Sukhmai Saha says that on account of his dispute with the brother of the workman he was assaulted by Shri Subhash Chandra Pandey and the plea of the workman is that while coming out of the pit he accidentally dashed against the complainant, who got enraged and belaboured the workman. In the cross-examination there is also a suggestion that when Shri Subhash Chandra Pandey spat, his spittle fell on the body of the workman as a result of which the incident occurred but this suggestion has been denied and in his deposition the workman has not referred to it.

10. It was stated that the Enquiry Officer did not allow the workman to be represented by a workman of his choice. However, the record shows that when objection was taken for appointment of Shri D. N. Chobe on the ground that he was not a co-worker but working in some other colliery, the choice fell on Shri Vijay Bahadur Singh, who was a co-worker and the matter ended there since the Enquiry proceeded further. There is nothing to show that the selection of Shri Vijay Bahadur Singh had caused any prejudice to the workman or that the objection to the name of Shri D. N. Chobe was fraudulently taken.

11. It was then stated that a copy of the statement of Shri Sukhmai Saha recorded on that day was not supplied nor the list of witnesses, during the course of enquiry. The record does not show that the defence has called for the production of the complaint or that insisted upon the list of witnesses. The record however, shows the fact that Shri Sukhmai Saha's complaint was recorded, was known to the workman because in his deposition he made reference to it. If therefore without giving the list of witnesses, the witnesses were examined, or the copy of the complaint was not produced before the Enquiry Officer, unless there is proof of prejudice which is absent, the enquiry finding cannot be disturbed. I have gone through the enquiry report and find that the Enquiry Officer accepted the statements of witnesses including the complainant and barring in the case of Shri Waman Dhoke who stated that the assault was with hand while others have stated that the complainant was beaten by belt, there is no other discrepancy nor there is any reason as to why the witnesses should have stated falsely against the workman. I therefore hold that the finding of the enquiry Officer and his report to be fair and reasonable and fully supported by evidence on record and the enquiry to be fair and proper. In this connection the allegations against the enquiry were really vague and since the enquiry is found to be fair and proper and also, the finding of the Enquiry Officer can never be said to have been vitiated particularly when proper opportunity was given to the workman to defend himself, which opportunity he had availed.

12. Once we arrive at this conclusion then the only question would be whether the punishment is harsh or disproportionate. The record shows that for no apparent reason the workman had assaulted the complainant near the pit on the premises of the company and caused him injury. Such an action if tolerated is bound to disturb the discipline and if therefore the management decided to dismiss the workman, the action cannot be said to be harsh or disproportionate. The workman therefore is not entitled to any relief against the order of dismissal.

Award accordingly.

Dated : 17-9-1985.

Sd/-

M. A. DESHPANDE, Presiding Officer
[No. L-22012(50)/84-D.V.]

कां०आ० 4885 — औद्योगिक विवाद अधिनियम, 1947 (1917 का 14) की धारा 17 के अन्वये में, केन्द्रिय सरकार भारतिय खाद्य निगम, के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अन्वये में निर्दिष्ट औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधि-करण, लण्डनगढ़ के पचाट को प्रकाशित करता है, जो केन्द्रिय सरकार को 10 अक्टूबर, 1985 को प्राप्त हुआ था।

S.O. 4985. — In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 10th October, 1985.

ANNEXURE

BEFORE SHRI I. P. VASISITH, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
CHANDIGARH

Case No. I.D. 82 of 1985

PARTIES :

Employers in relation to the management of Food Corporation of India, Punjab Region, Chandigarh.

AND

Their workman—Sukhdev Kumar.

APPEARANCES :

For the management—Shri Babu Singh.

For the Workman —Shri T. C. Sharma.

INDUSTRY : Food Corporation of India

STATE : Punjab.

AWARD

Dated the 3rd of October, 1985

The Central Government, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, per their Order No. L-42012(45)/84-D.V. dated the 5th July, 1985 referred the following industrial dispute to this Tribunal for adjudication:

"Whether the action of the management of Food Corporation of India, Chandigarh in terminating the services of Shri Sukhdev Kumar, Watchman working under the Distt. Manager, Food Corporation of India, Ludhiana with effect from 23-10-1981 is justified and in order? If not, to what relief is the workman concerned entitled to and from what date?"

2. In all fairness to them, the management responded favourably to the Tribunal's suggestion to find out a way to rehabilitate the petitioner irrespective of the merits of their action in terminating his services. As such, they agreed to re-engage him at his previous post and treat the intervening period as one spent on extraordinary leave without wages, and filed their written statement on the suggested lines. The proposal was accepted by the workman being more than a fair settlement as would be evident from the statement of his representative taken down on the Tribunal record.

3. Award returned accordingly.

Chandigarh, 3-10-1985.

I. P. VASISITH, Presiding Officer
[No. L-42012(45)/84-D.V.]

कां० 4980—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) को धारा 17 के अनुसूचि में, केन्द्रीय सरकार वेस्टर्न कोलफील्ड लि० के प्रबंधक से सम्बद्ध निषेधकों और उनके कर्मचारों के बीच अनुबंध में निहित आचार्यिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं० 4, बम्बई के पंचक की प्रार्थना करता है, जो केन्द्रीय सरकार को 3 अक्टूबर, 85 को प्राप्त हुआ था।

S.O. 4986.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay, as shown in the Annexure, in the industrial dispute between the employees in relation to the management of Western Coalfields Limited and their workmen, which was received by the Central Government on the 3rd October, 1985.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

PRESENT :

Shri M. A. Deshpande, Presiding Officer,

Reference No. CGIT-2/17 of 1985

(Transferred to this Tribunal by the M/L vide its Order No. S/1125(1)/85-D.IV(B) dated 8-2-1985 from Jabalpur)

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Pathakheda Area,

AND

Their workmen.

APPEARANCES :

For the Employers—1. Shri P. S. Nair, 2. Shri R. Menon, Advocates.

For the workmen—Shri L. N. Mehrotra, Advocate.

INDUSTRY : Coal Mines STATE : M.P.

Bombay, dated the 4th September, 1985

AWARD

By their order No. L-22011/70/82-D.III(B) dated 5-8-1983 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act :

"Whether the action of the management of Western Coalfields Limited, Pathakheda Area District Betul, in dismissing Shri Om Prakash, Coursing Mistri, Pathakheda area, w.e.f. 16-12-1981 on the charge of assaulting the Ventilation Officer on 23-9-1981 is justified? If not to what relief the workman is entitled?"

2. The order passed in the proceedings dated 1-4-1985 refer to the pleadings in details and therefore no separate reference is being made. By the same order since the enquiry was found vitiated for the reasons stated the prayer of the management to grant permission to prove the misconduct before the Tribunal was granted and now the stage is set for the purpose of determining whether the charge of misconduct as alleged is established.

3. The indictment against the workman was under Standing Order No. 17(i)(e) and (r) namely at the place of work he created riotous, disorderly and indecent behaviour and secondly threatening, abusing or assaulting any superior or co-worker. To substantiate the charge levelled against the workman, the management has examined these witnesses including the Ventilation Officer who is alleged to be the victim of assault by the workman. In his evidence Shri L. M. Sarkar, Ventilation Officer says that on 23-9-1981 when he found that the workman had not done the work as

directed by him on the earlier day and when at about 8.30 A.M. he made enquiry, the workman replied that he had merely transported the G.I. Sheets but had not completed the work. He was therefore asked to do time-bringing work whereupon the workman demanded authorisation for the last three years. Though the workman was asked to approach the Manager, it is stated that he neither approached the Manager nor left the place and remained at the surface till 1.30 P.M. The matter was therefore reported to the Manager and also to the Agent. It is alleged that when the Authorities instructed the Ventilation Officer to mark the workman 'out' in C Form Register, accordingly he was marked 'out' and Shri Sarkar left for lunch.

4. At 2.30 P.M. on return from lunch while Shri Sarkar was doing some writing work in the office, according to the witness, the workman entered the office and snatched the register in which he was making some entries and insisted that he should give him attendance otherwise he would not allow to perform his work, and stood in front of the office till at 7 P.M.

5. At 7 P.M. when Shri Sarkar was preparing to go home, it is alleged that the workman stepped into the office and stood in between two tables obstructing Shri Sarkar's path. The Ventilation Officer therefore tried to pass through the gap between the two tables but his attempt was foiled by the workman by punishing him back with his hands. It is alleged that the workman was very much furious and was shouting and in order to avoid him when Shri Sarkar jumped over the table and landing on the other side, he was pushed by the workman as a result of which he fell on the ground. The witness also says that Shri Om Prakash was abusing, shouting and threatening that he would drink the blood, and after leaving the office picked up a brick bat and hurled it at the witness who in order to save himself took shelter under the table. By the time the Manager also arrived before whom a written statement was made which is on record Ex. M-1 which complaint ultimately seems to have resulted in the enquiry and the resultant dismissal. In the cross-examination the suggestion is that the complaint was not made before the manager in writing which statement is denied by the witness. Similarly there is suggestion that there was no incident of assault, and abuse and the workman was merely requesting him to mark him present but this suggestion also is denied by the witness.

8. The two witnesses whose presence is not disputed namely Shri R. M. Nikhar, Overman, who was present in the office and Ravati Mohan, Driver who arrived there, have supported the first witness fully and in the cross-examination they reiterated the same.

9. Against this there is the statement of workman. He says that there was merely a request made to Shri Sarkar to mark him present but he declined saying that he can approach anybody. He further says that Shri Sarkar caught hold of the Safety Lamp which he was wearing round his neck and started throttling him and when the workman freed himself and was trying to leave the place the table fell down and the glass pane on the table was broke. He also says that he was injured for which he has taken treatment from the Compounder in the absence of the Medical Officer. He could not state as to why the witnesses had stated against him. When the workman was confronted with the writing dated 29-9-1981 pleading for mercy, his case is that his signature was obtained on blank paper. By writing it is meant Ex. M-2.

10. On going through the evidence, on going through the fact that the Ventilation Officer, who was superior of the workman had no cause to falsely state against his subordinate, considering the evidence of two witnesses whose evidence is beyond doubt, I am convinced that the alleged assault, use of criminal force, abuses, hurling of brick bat and pushing the Ventilation Officer must have occurred. Though he was marked absent at 2.30 P.M. his continuance till 7 P.M. clearly shows his motive and further is corroborated by the writing dated 2-9-1981 where he sought pardon for his mistake. If he had done nothing there was no reason for him to give such a writing and there is every reason to believe that when he realised the consequences he

had tried to plead for mercy. On going through the evidence adduced before the Tribunal therefore I hold that the misconduct as alleged is proved.

11. As the workman has been dismissed from service the question is whether the punishment of dismissal is harsh or disproportionate. If the workman felt aggrieved by the action of the Ventilation Officer, he having marked him absent, he should have approached the superior officer when he found Shri Sarkar to be adamant but should never have taken the law in his hand and taken revenge. He pushed the Ventilation Officer as a result of which he fell on the ground, he threatened to drink his blood and even tried to hurl brick bat at him. This has occurred in the office where Shri Sarkar was working. In these circumstances in the light of the misconduct as proved, if the management decided to part with his company, dismissing him the order of dismissal can never be said to be harsh or disproportionate. The management has to maintain discipline and if such type of incidents which result in grave consequences are ignored or tolerated, chaos is bound to ensue. I therefore hold that the order of dismissal dated 16-12-1981 is justified and the workman is not entitled to any relief.

Award accordingly.

M. A. DESHPANDE, Presiding Officer
[No. L-22011(70)/82-D.II(V)/D.V.]

कां०अ००४९८७—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वैस्टमैन कोल फील्ड लिमिटेड के प्रबंधक से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं० 2, बम्बई के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3 अक्टूबर, 1985 को प्राप्त हुआ था।

S.O. 4987.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Coalfields Limited and their workmen, which was received by the Central Government on the 3rd October, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, BOMBAY

PRESENT :

Shri M. A. Deshpande, Presiding Officer
Reference No. CGIT-2/36 of 1985

PARTIES :

Employers in relation to the Management of Hindustan Lalpeth Colliery of WCL.

AND

Their Workmen

APPEARANCES :

For the Employers.—Shri P. S. Nair, Shri Rajendra Menon, Advocates.

For the Workmen.—Shri S. P. Singh, General Secretary, Wardha Valley Collieries Workers' Union, Chandrapur.

INDUSTRY : Coal Mines.

STATE : Maharashtra.

Bombay, dated the 17th September, 1985

AWARD

By their order No. L-22012(13)/84-D.V. dated 26-3-1985 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947:—

“Whether the action of the management of M/s. Western Coalfields Limited, Hindustan Lalpeth Colliery P.O. & Dist. Chandrapur in relation to Hindustan Lalpeth Colliery of Sub Area No. 3, Wardha Valley Area in refusing to change the date of birth of Shri Pandhari Raghunath, Electric Pump Khalasi is justified? If not, to what relief the said workman is entitled?”

2. As the dispute stands, it centres around the question as to which is the correct year of birth whether 1924 as recorded in the records of the collieries or 1929 as stated by the workmen. This assumes importance because as per the standing orders the workman is entitled to continue upto 60 years of age and if his correct date of birth is found to be 20-2-1929 as alleged, he would be entitled to continue upto 29-2-1989 against which he was made to retire in 1984 on the strength of the year of birth as 1924.

3. The Union who is espousing the case of the workman contends that when the mistake was detected, the workman had obtained the extract of date of birth from the Collector where the date of birth is stated to be 20-2-1929 on which day it is stated that a male son was born to his father Shri Ragya Mahar at Village Chahad within the jurisdiction of Chandrapur Police Station. The affidavit therefore was prepared on 4-5-1983 and the application was submitted to the management for correction of date of birth on 8-5-1983 which was followed by the Union representation dated 14-11-1983 and since the management was not prepared to accept, a dispute was raised before the Conciliation Officer on 18-11-1983 which has resulted in the present order of reference.

4. By their written statement the contention regarding incorrect date of birth has been repudiated by the management who asserts that on the strength of the information supplied by the workman himself in the year 1962 the record had been prepared which shows his date of birth as 1924. As per the practice since the exact date of birth was not available the middle of the year i.e. 1-7-1924 was taken. It is further alleged that a general notice was issued calling objection within 90 days on 17-4-1982 but no objection was submitted by the workman.

5. On the strength of the above pleadings the following issues arise for determination and my findings thereon are :—

ISSUES

1. Is the birth date noted in the Colliery papers incorrect one?
2. If yes, what is the true and correct birth date of the workman?
3. Was the management justified in refusing to change the birth date?
4. If not to what relief is the workman entitled?

FINDINGS

- No
- 1924 is not found to be incorrect.
- Yes
- Does not arise.

REASONS

6. The only crucial question arising for determination is whether the correct birth date of the applicant is 1-7-1924 as shown in the record or 20-2-1929 as alleged by the workman and in support of which he has produced extract of the Birth Register Ex. W-3 showing that on 20-2-1929 a male son was born to Shri Ragya Mahar. In the same entry in column No. 2, there is the name of Budhia appearing and the question is to whom this entry refers. The management has produced on record at Ex. M-4 an Extract of Birth Register of the same village showing various entries from which we find that in column No. 2 besides the name of father, in the same entries the name of child, whether male or female is also stated. If this practice is taken into account and which is evident from the entries from Ex. M-4, it clearly

indicates the name of Budhia appearing in the extract produced by the workman is the name of the male child born to Shri Ragya Mahar on 20-2-1929 and he must be different from the workman in question i.e. he must be the brother of the workman. This shows that no reliance can be placed on EX. W-3 since the entry does not appear to be pertaining to the birth of the workman himself and once we arrive at this conclusion there is nothing to hold that the birth date mentioned in the record is erroneous one without which finding no relief is possible.

Award accordingly

Dated : 18-9-1985

M. A. DESHPANDE, Presiding Officer
[No. L-22012(13)/84-D.V.]

का० १९८८.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी आई जो मुख्य सुरक्षा अधिकारी, मैस० बी सी सी एन, डाक जालगोरा, धनबाद के प्रबंधन से सम्बद्ध नियोक्तों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं० 2 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-10-85 को प्राप्त हुआ था।

S.O. 4988.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.I.G. Chief Security, M/s. Bharat Coking Coal Ltd., P.O. Jealgora, Dhanbad and their workmen, which was received by the Central Government on the 8th October, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha,
Presiding Officer.

Reference No. 26 of 1984

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act., 1947.

PARTIES :

Employers in relation to the management of D.I.G. Chief Security M/s. Bharat Coking Coal Limited, P.O. Jealgora, Dist. Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers.—Shri B. Joshi, Advocate.

On behalf of the workmen.—Shri B. Lal, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 27th September, 1985

AWARD

The Government of India, Ministry of Labour and Rehabilitation in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-24012(42)/83-D.IV(B), dated, the 28th June, 1984 :

SCHEDULE

"Whether the demand of the workmen of security Headquarters of M/s. Bharat Coking Coal Limited, P.O. Jealgora, Dhanbad that Shri R. K. Singh, should be promoted as Senior Watcher and placed in clerical grade-I with effect from 21-1-82 is justified? If so, to what relief is the said workman entitled?"

The case of the workmen is that the concerned workman Shri R. K. Singh was appointed on 29-6-74 and was working as a Clerk Stores and Despatch Section in M/s. BCC. Ltd. in clerical Grade-III. He was promoted and regularised in Clerical Grade-II in the year 1977. The management was in need of some persons to work as Senior Watcher in the Vigilance and security department in M/s. BCC. Ltd. The concerned workman was selected for the said post vide Office order dated 19/20-1-82 along with others. After his selection he was released to work as a Senior Watcher vide Office order dated 21-1-82. He reported for duty in the vigilance department as Senior Watcher on 21-1-82. The concerned workman was working as Senior Watcher very efficiently and got rewards for rendering valuable work. As Senior Watcher the concerned workman was to get the pay scale of Clerical Grade-I but the management did not pay him the scale of clerical Grade-I. The management issued a letter dated 11-1-83 cancelling the placement of the concerned workman as Senior Watcher. But the concerned workman continued to work as Senior Watcher till 4th of July, 1983. As per rules of BCCL and establishment norms a workman working for 6 months in a permanent nature of job is entitled for regularisation in the said post. The concerned workman had been selected for the post of Senior Watcher by a competent and duly constituted selection committee and his selection was for permanent posting and not stop gap measure. His was not a case for promotion as Clerk in ministerial discipline but was a case of selection by duly constituted committee. The management had given him training by posting him in different post such as special section of security, despatch section of security confidential section of DIG/Chief Security flying squad duty etc. It is submitted that his demand is fully justified.

The case of the management is that the concerned workman was posted as Clerk in Grade-III at the security headquarters Jealgora BCCL on 28-6-74. He was promoted from Clerical Grade-III to Clerical Grade-II by letter dated 2-7-77 on the basis of the recommendation of the D.P.C. There is a promotion scheme of the management which contemplates that the promotion from Clerical Grade-II to Grade-I has to be done on the basis of seniority subject to satisfactory performance and the seniority in respect of clerks in Grade-II of the security headquarters is considered along with other clerical Grade-II of the headquarters at Koyala Bhawan and Karmik Bhawan at BCCL. According to the seniority list prepared by the management the concerned workman is much junior to a large number of Grade-II Clerks and he could not be promoted by superseding his seniors from Clerical Grade-II to Clerical Grade-I. The concerned workman was attached to the vigilance department for sometimes as a senior Watcher in stop gap arrangement. The concerned workman was in Clerical cadre and he could not be transferred to the post of Senior Watcher in another cadre even as a stop gap measure. He had been favoured by some officer and was posted as Senior Watcher in the Vigilance department. He was erroneously given Clerical Grade-I by the Office order dated 19/20-1-82 when he was attached to the Vigilance department. When the mistake was detected, he was reverted back to his clerical cadre by the order dated 11-1-83 and was reverted back to his clerical cadre II and was posted back to his original job. The concerned workman has no ground for demanding his promotion as he is much junior to several grade-II Clerk. He is in Clerical cadre and as such cannot demand to be posted as Senior Watcher in another cadre. The promotion is the management's function and no one can ask for promotion as a matter of right. The concerned workman had not been selected for his permanent appointment as Senior Watcher as alleged by him. As he was not promoted and not confirmed he was not paid the wages for Clerical Grade-I. On the above plea it is submitted on behalf of the management that the concerned workman is not entitled to any relief.

The only point for determination is whether the concerned workman is entitled to be placed in the Scale of pay of Clerical Grade-I as Senior Watcher with effect from 21-1-82.

The workmen and the management have each examined one witness in support of their respective cases. The workmen have produced documents which have been marked Ext. W-1 to W-12. The document produced on behalf of the management have been marked Ext. M-1 to M-19.

Most of the facts are admitted. The concerned workman Shri R. K. Singh was appointed as a Clerk in Grade-III on 28-6-74 and he was posted to Security headquarters Jaigora in the scale of pay Rs. 180—265 per month. He was promoted in Clerical Grade-II with effect from 1-1-77 on the recommendation of the D.P.C. He was attached with Watch and Ward department and was to work under the Personnel Manager at Security Headquarters by the order dated 19-4-81 (vide Ext. M-5). Thereafter he was attached to Shri N. C. Das Asstt. Commandant CISF from 21-7-81 (vide Ext. M-6). He was found suitable for placement as Senior Watcher in the scale of Rs. 572-29-804-35-944 per month along with 4 others by the Office order dated 19/20-1-82 (vide Ext. M-7). It will appear that the concerned workman joined his duties as Senior Watcher in the Vigilance department on 21-1-82 (vide Ext. M-9). The placement of the concerned workman along with 4 others attached to Vigilance department as Senior Watcher was cancelled by the Office order dated 11-1-83 (vide Ext. M-10). The concerned workman was released and reverted back from Vigilance department to Security headquarters with effect from 4-7-83 vide Office order dated 4-7-83 (vide Ext. M-11). The concerned workman joined his duties at Security headquarters Jaigora on 9-7-83 vide Ext. M-12. The above facts are all admitted and are supported by the documents of the management.

It is admitted in the W.S. of the management in para 6 that the concerned workman was attached to Vigilance department for sometimes as a Senior Watcher as a stop gap measure and that he was erroneously given clerical Grade I by office order dated 19/20-1-82 when he was attached to the vigilance department. Thus from the documents and the case of the management it is admitted that the concerned workman had worked as a Senior Watcher from 21-1-82 and that he continued to work as Senior Watcher till 4-7-83. It will appear that the concerned workman had worked as a Senior Watcher for about one year and 6 months. In order to appreciate the nature of appointment of the concerned workman as Senior Watcher it will be useful to see the letter by which he was appointed as Senior Watcher. Ext. M-7 dated 19/20-1-82 is the office order issued by the Deputy Chief Personnel Manager of BCCL. It will appear from Ext. M-7 that on the recommendation of selection committee 5 of the persons including the concerned workman attached to Vigilance and Security department were found suitable for placement as Senior Watcher in the scale of Rs 572—944 which is equivalent to the scale of pay of Clerical Grade-I. It is further stated in it that he was to be on probation for a period of one year which may be extended or curtailed at the discretion of the management. The said office order of appointment was issued with the approval of the competent authority. It will thus appear from Ext. M-7 that it was not a case of promotion of the concerned workman and four other from the post of Clerical Grade-II to the post of Clerical Grade-I. It is clear from this office order that the concerned workman was found suitable for placement as Senior Watcher on the recommendation of the Selection committee. Thus the plea of the management that there could be no change of cadre from Clerical Grade to the post of Senior Watcher belonging to another cadre is not the correct plea in the case. It is true that there is promotional channel of clerical Grade-II to Clerical Grade-I and the same has to be made by the D.P.C. considering the seniority and the efficiency as provided in Ext. M14. But as I have discussed above it will appear that it was not a case of promotion from clerical grade-II to Clerical Grade-I by which the concerned workman was placed to work as a Senior Watcher. Admittedly, the concerned workman was working in the Clerical cadre grade II and he was selected as a Senior Watcher belonging to another cadre, the scale of pay of which was equivalent to the pay scale of Clerical Grade-I. It will thus appear that it was a case of selection of the

concerned workman from clerical grade-II to another cadre as Senior Watcher and that it was not a case of promotion from Clerical Grade-II to Clerical Grade-I requiring it to be dealt with by the D.P.C.

MW-1 is the Dy. Personnel Manager at the headquarters. He has stated that there is a cadre scheme for promotion in the clerical grade in which seniority-cum-merit is considered. In his further examination-in-chief he has stated that we cannot pick and choose for putting one person from one category to the other category and that there is a written procedure for that. He has stated that the placement of the concerned workman from security to the Vigilance and promoting him as Senior Watcher was not according to the procedure and that was the reason as to why the concerned workman was reverted back to his clerical post. In his cross-examination he has stated that the cadre scheme Ext. M-14 does not contain the procedure for promotion to a senior watcher and that there is a separate procedure for promotion to a Senior Watcher but the same has not been filed. It is stated that the said file has been taken away by the CBI which has instituted a case against Shri D.P.S. Chaudhan the then DIG/Chief Security. Thus it appears from his evidence that the cadre scheme Ext. M-14 which has been filed by the officers of the management does not contain the procedure in respect of promotion/appointment of Senior Watcher and that the procedure which deals with the selection or promotion to a Senior Watcher has not been filed. It is clear, therefore, that the cadre scheme is not applicable in the case of the appointment of Senior Watcher and the necessary procedure regarding it has been withheld by the management for the reasons best known to them. It is stated that the said procedure is also with the CBI but I think that even if the procedure of the scheme is with the CBI there must have been many other copies of the said procedure with the management which could have been produced in this case. MW-1 who is the concerned workman has stated that he was appointed as Senior Watcher by a Selection Committee along with some other. He has stated that the post of Senior Watcher is not in the chain of promotion of Clerical grade and as such the said promotion was made not by D.P.C. but by a selection committee. In his cross-examination he has stated that the DIG/Chief Security had made internal advertisement for the appointment of Senior Watcher and Watcher but he was unable to file the said notice. It is apparent from the management's own document that the concerned workman along with four others were appointed as Senior Watchers by a Selection committee and the papers regarding the advertisement and the applications of the persons who had applied for the same must be with the management and the management cannot take advantage of not filling those papers and submitting that no internal advertisement was made or that no one had applied for the post of Senior Watcher. The case of the workmen being in consonance with the documents appears to be true and I hold that the concerned workman was found suitable for placement of Senior Watcher by the Selection Committee and that on the basis of the recommendation of the said selection committee the concerned workman was appointed as Senior Watcher in the scale of Rs 572—944.

MW-1 has stated that the concerned workman was governed by the Model Standing Orders. Although he is a Dy. Personnel Manager he was unable to say if a workman is confirmed to the post where he is working continuously for 3 months but he has stated that show cause is required if the reversion is after more than one year. He has stated that he does not know if any notice was given or any explanation was called for from the workman prior to the cancellation of his promotion to the post of Senior Watcher. It will appear that the concerned workman had worked as a Senior Watcher from 21-1-82 to 4-7-83 and had worked for more than one year as a Senior Watcher before he reverted back to his old Clerical Grade-II. Thus even according to MW-1 the management had to issue a show cause to the concerned workman before reverting him back to his old post of Clerical Grade-II. It appears that the management had not asked for any explanation from the concerned workman prior to the cancellation of the placement of the concerned workman was admittedly a Senior Watcher working in the higher scale of Rs. 572—944 (vide Ext. M-7) and had continued to work for more than a year and as such his reversion to a lower scale of pay of Clerical Grade-II could

not be made adversely without giving him notice under Section 9A of the I.D. Act. Ext. M-7 shows that the concerned workman was to be on probation for a period of one year which may be extended or curtailed at the discretion of the management. There is no evidence of either extension or curtailment of the period of probation and as such the concerned workman had become permanent as Senior Watcher after completing one year of his service as a Senior Watcher. In this view of the matter also a notice under Section 9A of the I.D. Act was a must prior to the reversion of the concerned workman to Clerical Grade-II.

It is admitted in the W.S. of the management that the concerned workman was not paid the wages for Clerical Grade-I meaning thereby that the concerned workman had not been paid the wages as stated in Ext. M-7.

It is stated on behalf of the management that there was a favouritism done by Shri D.P.S. Chouhan in appointing the concerned workman as Senior Watcher. Ext. M-7 by which the concerned workman was appointed as a Senior Watcher was issued by the Dy. Chief Personnel Manager with the approval of the competent authority and there is nothing on the record to show that Shri D.P.S. Chouhan had shown favouritism in appointing the concerned workman as Senior Watcher. The management has not produced any document to show that any favouritism was shown in the garb of the plea that all documents relating to it were filed with the CBI. In order to prove favouritism the management had to establish the same and a mere verbal statement will not be enough to show that favouritism was shown in the appointment of Senior Watchers.

In view of the discussion made above I hold that the demand of the workmen of Security headquarters of M/s. BCC Ltd. that Shri R. K. Singh should be promoted as Senior Watcher and placed in the scale of pay of Clerical Grade-I with effect from 21-1-82 is justified and that the reversion of the concerned workman by the management is not at all justified because of the reasons discussed above. Admittedly the concerned workman had worked as Senior Watcher in the scale of pay of Rs. 572-944 which is equivalent to the pay scale of Clerical Grade-I and as such the concerned workman is entitled to the said scale of pay from 21-1-82 till 4-7-83. As I have held above that the reversion of the concerned workman from the post of Senior Watcher to Clerical Grade-II is not justified, the concerned workman is reinstated as Senior Watcher with effect from 5-7-83 and is entitled to the back wages in the scale of Rs. 572-944 per month with other consequential benefits.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-24012(42)/83-D.IV(B)]
R. K. GUPTA, Desk Officer.

केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड

नई दिल्ली, 26 अक्टूबर, 1985

सं. 322/85—सीमाशुल्क

का अ. 4999—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए—

- (i) मध्य प्रदेश राज्य में जिला सिद्धी में वैधान, और
- (ii) उत्तर प्रदेश राज्य में जिला मिर्जापुर में गिहंद, को गण्डामार स्पेज के रूप में घोषित करता है।

[का सं. 473/201/85—सीमाशुल्क-7]

आर. के. कपूर, अवसर मन्त्रि
केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 26th October, 1985

NO. 322/85-CUSTOMS

S.O. 4989.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares —

- (i) Waidhan in District Siddi in the State of Madhya Pradesh; and
- (ii) Rihand in District Mirzapur in the State of Uttar Pradesh to be warehousing stations.

[F. No. 473/201/85-CUS. VII]

R. K. KAPOOR, Under Secy.
Central Board of Excise and Customs

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

(बीमा प्रभाग)

नई दिल्ली, 18 अक्टूबर, 1985

बीमा

कां० अ. 4990—केन्द्रीय सरकार, आर्थिक जीवन बीमा निगम वर्ग 3 और 4 कर्मचारियों (सेवा के निवृत्तों और शर्तों का पुनरीक्षण) निगम, 1985 के नियम 13 के उप-नियम (2) के उप खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह अवधारित करती है कि, उक्त निगम के अन्य उपबंधों के अधीन रहते हुए, 1 अप्रैल, 1984 को प्रारम्भ होने वाला और 31 मार्च, 1985 को समाप्त होने वाली अवधि के लिये प्रत्येक वर्ग 3 और वर्ग 4 कर्मचारियों को, बीमा के दब्बे में उनके मर्यादा के 15 प्रतिशत का दर से भुगतान होगा।

(कां० सं० 2(12)/बीमा 3/85]

एस०आर० भाटिया, अवसर मन्त्रि

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Insurance Division)

New Delhi, the 18th October, 1985

INSURANCE

S.O. 4990.—In exercise of the powers conferred by sub-rule (2) of rule 13 of the Life Insurance Corporation of India Class III and Class IV Employees (Revision of Terms and Conditions of Service) Rules, 1985, the Central Government hereby determine that, subject to the other provisions of the said sub-rule, the payment in lieu of bonus for the period commencing on the 1st day of April, 1984 and ending with the 31st day of March, 1985 to every Class III and Class IV employee shall be at the rate of 15 per cent of his salary.

[F. No. 2(12)/Ins. III/85]

S. R. BHATIA, Under Secy.

